

## Abstract

Title of Dissertation: **BLACK REMOVAL AND INVISIBILITY: AT THE INTERSECTIONS OF RACE AND CITIZENSHIP IN THE 21st CENTURY**

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This dissertation, *Black Removal and Invisibility: At the Intersections of Race and Citizenship in the 21st Century*, uses the experiences of Black immigrants as a lens to examine anti-Blackness and citizenship within the contemporary U.S. immigration system. I explore how Black immigrants sit at a unique intersection of Blackness and (un)documentation that produces significant vulnerabilities. Black undocumented immigrants occupy an ambiguous and often untenable position within the U.S. nation-state. They are simultaneously included in the broad category of “Black American” and excluded from the category of “American” by virtue of their lack of citizenship. Their exclusion, I contend, is based both on Blackness and status as unauthorized immigrants. I examine their exclusion by addressing the following questions: How does an emphasis on “invisibility” help us to better understand how immigrant rights organizations in the U.S. address and represent the needs of Black immigrants? In what ways have the experiences of Black immigrants been rendered marginal to social justice movements? What are the consequences of their marginalization for political representation? Lastly, how are Black immigrants responding and transforming the immigrants’ movement? I rely on qualitative methods, including participant observation and in-depth interviews to explore these questions.

BLACK REMOVAL AND INVISIBILITY: AT THE INTERSECTIONS OF RACE  
AND CITIZENSHIP IN THE 21<sup>st</sup> CENTURY

by

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Dedication  
To an unruly woman (My Mommy)  
03.17.2016

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## Prologue<sup>1</sup>

I was raised in Queens, New York, specifically Jamaica, Queens. I begin my sketch with my location of birth because it highlights my own positionality and investments in Black immigration, deportation, and the African Diaspora. New York City is known for the multiple cultures represented throughout the five boroughs. One of the largest and most consistent migrations to New York City has been from the Caribbean. The neighborhood that I call home, Jamaica, Queens, is heavily populated with West Indians from Jamaica, Guyana, and Trinidad amongst others. My parents arrived from Jamaica, W.I. and have resided in the U.S. since the late 80s. Each arrived to the U.S. separately, although they were a couple prior to migration. My father arrived in the U.S. through travel on cruise from Jamaica, to the Bahamas, and entered the U.S. through Miami, Florida. He was an undocumented immigrant.<sup>2</sup> My mother entered the United States in Florida via boat after flying from Jamaica to the Bahamas. She was also an undocumented immigrant when she arrived.

My childhood memories are filled with trips between Queens and Brooklyn, dollar vans, stew chicken, rice and peas, beef patties and coco bread, and other cultural assemblages connected to the Caribbean. In my late teens, I left New York for Atlanta, GA, where I lived for four years while attending the Clark Atlanta University (CAU), a historically black university (HBCU). My move to Atlanta still allowed me to be a part of

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<sup>1</sup> This prologue was inserted to provide readers with some context, as well as my positionality within my dissertation project. I also want to note that some of these narratives intentionally omit names, as well as familial relationship ties because I am from a mixed-status family in terms of immigration status and would like to preserve some anonymity.

<sup>2</sup> After a few years my father was arrested. He recently received parole, but was detained by Immigration and Customs Enforcement in 2017. He remains in a detention center in Bergen County, New Jersey today awaiting notice on his immigration appeal.



a large and diverse Black community that included multiple ethnicities and socioeconomic classes. However, when I moved to Los Angeles in 2010, to enroll in a graduate program in African American Studies at UCLA, my world shifted dramatically from a Caribbean- and Black-centered community to one that was diverse, but differed dramatically from the demographic configuration that characterized my upbringing. Growing up in New York, I never saw myself outside of a Caribbean or predominately Black (or minority community). However, my move to Los Angeles left me puzzled, because I always believed that there were Jamaicans, or at least West Indians, everywhere (this is still true). Not having easy access to West Indian or Caribbean cultural resources or community, I set out to find one in Los Angeles. At the time I did not know that my search for community would lead me to study immigration, particularly Black immigration, to the United States. It was in Los Angeles that I discovered the important relationship between immigrant experiences and place. Los Angeles was an immigrant city, but a very different immigrant city than New York.

During my early exploration into Caribbean immigration and settlement, I came across a text by Percy Hintzen, entitled, *West Indians in the West*. In this text, a Trinidadian respondent tells Hintzen, “study yourself, people like yourself. You know them. You can’t know me.” This statement remained with me throughout my time at UCLA and ultimately brought me to my current research on Black immigrants, deportation, and (in)visibility.

There is piece of us in our work, and this is true for my current dissertation research on Black removal. I have seen first-hand how deportations and the criminalization of Black immigrants can change the lives of deportees and their families.

My first experience with deportation was when I witnessed the arrest of my eldest brother, who was arrested and deported in the early 90s. I was about seven or eight years old and I vividly recall immigration officers arriving at my home in Queens and removing my brother. That moment was the last time I saw my brother until I became an adult. One mistake cost him his residency in the United States and separated our family members for the rest of our lives. During my high school years, I experienced another family member's detention. That family member was arrested and deported after encountering immigration agents during a random immigration check on a Greyhound bus. These removals, deportations, had an enormous effect on my family's livelihood, emotional well-being, and stability. I recount these narratives because they exemplify how both Blackness and foreignness have consequences for Afro-Caribbean, Afro-Latinx, and African immigrants.

The incidents described above occurred between the late 1980s and early 2000s, yet Black immigration and deportation remains an understudied topic. Black immigrants, as well as Blackness, are also not a part of the larger narrative within national immigrant advocacy organizing. I began my work with my personal and social location because while many people enter their research studying aspects of their own identities, it is important, from an academic standpoint, to consider the implications of research beyond self-reflection and the individual. Why does my research matter beyond myself? Why should others be invested in my work beyond their interest in my own personal story?

I see my research on deportation, race, and immigration speaking to broader discourses and intellectual inquiry related to race, belonging and citizenship that will hopefully impact the public sphere. My family's migration patterns, my own movement

throughout the United States, and the deep impact of forced removal of my own loved ones, so at odds with dominant accounts of either Blackness in the U.S. or immigration in the U.S., have continually prompted me to question why Black immigrant narratives remain on the sidelines of immigration and deportation research. Additionally, why does Black mobility remain “unfathomable” in terms of narratives of Black racial formation in the United States. As I detail below, Black peoples have been moving and mobile throughout the Diaspora outside of enslavement. Black migration is a central element of our racial formation. As I continue my research, I hope that my work on anti-Blackness and deportation not only speaks to the academy, but to Black immigrant communities, activists, and policy makers as well.

## Introduction

This dissertation, *Black Removal and Invisibility: At the Intersections of Race and Citizenship in the 21st Century*, uses the experiences of Black immigrants as a lens to examine anti-Blackness and citizenship within the contemporary U.S. immigration system. I explore how Black immigrants sit at a unique intersection of Blackness and (un)documentation that produces significant vulnerabilities. Black undocumented immigrants occupy an ambiguous and often untenable position within the U.S. nation-state. They are simultaneously included in the broad category of “Black American” and excluded from the category of “American” by virtue of their lack of citizenship. Their exclusion, I contend, is based both on Blackness and status as unauthorized immigrants. I examine their exclusion by addressing the following questions: How does an emphasis on “invisibility” help us to better understand how immigrant rights organizations in the U.S. address and represent the needs of Black immigrants? In what ways have the experiences of Black immigrants been rendered marginal to social justice movements? What are the consequences of their marginalization for political representation? Lastly, how are Black immigrants responding and transforming the immigrants’ movement?

This project places conversations on race and citizenship together with a discussion of advocacy and agency. I argue that advocacy organizations shape the public narrative of immigration within the U.S. Established, national organizations such as the National Immigration Law Center prioritize the needs of low-income immigrants in their policy advocacy. As such, these organizations seek to represent *all* low-income immigrants. However, they may also reproduce marginalization within the larger immigrant community. For instance, many major immigrant advocacy organizations

create a non-Black Latinx-centered narrative of immigration reform that often excludes or further marginalizes Black immigrants. Cathy Cohen refers to this process as “secondary-marginalization.”<sup>3</sup> Secondary marginalization contends that disadvantaged subgroups experience marginalization along multiple axes. Even within a marginalized group such as undocumented immigrants, then, inequality can be reproduced along gender, racial, and ethnic lines. The example that Cohen shares is the marginalization *within* mainstream African American organizations of Blacks who identify as LGBTQ. Organizations that represent disadvantaged groups can exacerbate and/or reproduce secondary marginalization by advocating for laws and policies that focus on singular issues, particularly those that benefit an advantaged subgroup.

I use Cohen’s theory of secondary marginalization to analyze how and why Black immigrants, particularly undocumented Black immigrants, are marginalized within immigrant and Black social justice platforms, especially in terms of political representation. I use secondary marginalization to examine the multiple factors that contribute to the marginalization of Black immigrants. Cohen’s and Dara Strolovitch’s theories on secondary marginalization and “affirmative advocacy” frame this project because I examine how Black immigrants are marginalized within the mainstream immigrant rights movement.<sup>4</sup> Marginalization as either “Black” or “immigrant/undocumented” is compounded by how immigrant advocacy organizations fail to incorporate, or engage issues facing the Black immigrant community.

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<sup>3</sup> Cathy Cohen, *The Boundaries of Blackness: AIDS and the Breakdown of Black Politics* (Chicago: The University of Chicago Press, 1999), 25-27

<sup>4</sup> Dara Strolovitch, *Affirmative Advocacy: Race, Class, and Gender in Interest Group Politics* (Chicago: The University of Chicago Press, 2007), 6

In her empirical study *Affirmative Advocacy: Race, Class, Gender in Interest Group Politics*, Strolovitch (2007) demonstrates how and why vulnerability is reproduced within advocacy organizations. Her assessment of an organizational effectiveness in addressing the issues of disadvantaged subgroups within marginalized populations provides a useful frame for my study. Strolovitch surveyed 286 advocacy groups in order to address representation of different group *within* these organizations. She “prioritizes questions about the degree to which movements and organizations claiming to speak for marginalized groups” address challenges faced in “advocating on behalf of disadvantaged subgroups of their own marginalized constituencies”<sup>5</sup>. To what extent do they advocate for disadvantaged subgroups and address marginalization within their own organization? Strolovitch argues that advocacy organizations effectively advocate for policies that affect the most advantaged members of their constituencies and fall short with regard to issues that affect disadvantaged subgroups within the same constituencies. For example, organizations claiming to represent “the poor” might focus on expanding state benefits for people living in poverty while failing to address the needs of poor *and* undocumented immigrants who would not be eligible for those benefits due to citizenship status. The focus on singular issues does not account for other identity categories, resulting in intersectional marginality. I use this conceptual framework to analyze how Black immigrants are marginalized within the immigrant rights movement due to their disadvantaged racial position vis-à-vis non-Black immigrants. To a lesser extent, I also use the framework of secondary marginalization to draw attention to how undocumented

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<sup>5</sup> Strolovitch, *Affirmative Advocacy*, 6.

Black immigrants face secondary marginalization within traditional Black racial justice organizations due to their disadvantaged position as unauthorized immigrants.

Theories of Blackness and anti-Blackness help us to understand the laws, policies, customs, and ideologies that lead to the premature death or dehumanization of peoples of African descent and the systemic and intentional targeting of Black peoples.<sup>6</sup> This project draws on theories of anti-Black racism to examine the factors that shape the invisibility of Black immigrants within advocacy, immigrant rights and social justice organizing. I engage how race, particularly Blackness, is central to the vulnerabilities of Black immigrants. The failure to address how the racialization of Black peoples directly affects immigration and deportation has resulted in advocacy organizations producing secondary marginalization. Advocacy organizations have championed policies that often have negative repercussions for Black immigrant communities. For instance, the Deferred Action for Childhood Arrivals program (DACA) has emphasized temporary relief while simultaneously expanding the grounds for criminalization, which disproportionately affects Black immigrants who are five times more likely than other immigrants to face a criminal conviction<sup>7</sup>.

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<sup>6</sup> I define anti-Blackness as laws, policies, customs, and ideologies that lead to the premature death or dehumanization of peoples of African descent or the systemic and intentional targeting of Black peoples.

<sup>7</sup> Juliana Morgan-Trostle, Kexin Zheng, and Carl Lipscombe, *State of Black Immigrants: A Statistical Portrait of Black Immigrants in the United States*, (New York: New York University Law Clinic, 2016), 20

## Significance

Black undocumented immigrants are a vulnerable and marginalized population. Their marginalization is due to several factors, but for the purposes of this project, I focus on race and representation. I contend that Black immigrants experience secondary marginalization due to pervasive anti-Blackness in the larger society and lack of representation within in advocacy organizations. Within the contemporary immigrant rights movement, advocacy has centered on a specific immigrant narrative. The public image of undocumented or unauthorized immigrants propagated by many organizations and political supporters is one of the hardworking non-Black Latinx deserving of citizenship because they are good immigrants who work hard to contribute to the U.S. economy. This image is not Black.

Discussions in the popular media, among policy-makers, and among immigrant advocates tend to depict deportation as an issue faced mainly by individuals from Spanish-speaking countries. For instance, the larger public debate about DREAMers and the deportation of Central American minors is focused on the impacts of U.S. immigration policies on non-Black Latinx communities and Latinx political mobilization. The higher visibility of non-Black Latinx immigrants is represented in the images featured on organizational website coverage and the immigrant representatives that mainstream immigrant rights organizations choose to include as part of media interviews and stories. For example, NILC debuted a new blog called, *The Torch*, in which majority of the posts focus on the non-Black Latinx community. NILC has made efforts to wed their work around economic justice to racial justice, but their coverage in the news is tied overwhelmingly to issues framed the stories of non-Black Latinx immigrants (i.e.



sanctuary cities and DACA). Further, most immigrant rights organizations have devoted their energies to maintaining and expanding the DACA program put in place by President Obama. This program grants temporary relief to unauthorized immigrants who entered the country as children. According to the Black Immigration Network (BIN), however, “very few [Black and undocumented] immigrants have benefitted from DACA. Some of the challenges that hinder Black immigrant access to DACA are fee requirements, criminal records (misdemeanors), and educational barriers that cannot be understood apart from the historical segregation of Black communities in the U.S.

To be fair, the focus on Latinos within the contemporary conversation of immigration reform is in part due to demographics. According to a 2009 Pew Research Center report, “76% of the nation’s unauthorized immigrant population are Hispanics” and Black immigrants account for 5.4%. Immigrants from Mexico, Guatemala, and Honduras experience the highest rates deportation.<sup>8</sup> However, Jamaica, Haiti and also make the top 20 countries on the ICE Enforcement and Removal Operations list-producing high rate of returns for Black immigrants.

This dissertation is centered on organizations because they simultaneously shape and serve as a vehicle for political representation for Black undocumented immigrants. One of the major roles of advocacy is to represent both advantaged and disadvantaged groups within their constituencies. Currently immigration reform seeks to provide comprehensive immigration reform, with an emphasis on a pathway to citizenship.

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<sup>8</sup> Kristen McCabe, *Caribbean Immigrants in the United States*, (Washington, D.C.: Migration Policy Institute, 2011). April 7, 2011 <http://www.migrationpolicy.org/article/caribbean-immigrants-united-states>

Immigrant rights organizations have advocated for public policies that prioritize the issues of a majority group, non-Black Latinx. I contend that within the immigrant rights movement non-Black Latinx peoples are advantaged in terms of representation while Black immigrants are a disadvantaged subgroup, facing what Cohen refers to as secondary marginalization. I realize that this is a controversial stance in our current political climate. A time of deep anti-immigrant sentiment that involves the racialization of non-Black Latinx as “illegal” and in an era in which non-Black Latinx demonstrate some of the lowest aggregate rates of education and income in the nation, it is challenging to claim this group is “advantaged” in U.S. life. Further, Latinx now constitute the largest group of incarcerated people in the U.S. criminal justice system.<sup>9</sup> Further, non-Black Latinx immigrants are profiled as “undocumented” but Black immigrants are profiled as “American.” However, this dissertation starts with the assumption that along one important dimension – anti-Black racialization and sentiment in the U.S. Black immigrants are indeed disadvantaged in relation to their non-Black Latinx counterparts and experience secondary marginalization due to their race.

The contribution of this project is to better understand the role of race, and anti-Blackness in particular, in producing secondary marginalization in advocacy spaces. As noted, several other studies have engaged this broad topic. However, this study is among the first to focus on Black immigrants with attention to how secondary marginalization undermines political representation.

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<sup>9</sup> Marie Gottschalk, *Caught: The Prison State and the Lockdown of American Politics*. (Princeton, NJ: Princeton University Press, 2016), 4.

## **Black Immigrant Demographics / Snapshot**

Black immigrants comprise 8.7% of the larger immigrant population. Africa and the Caribbean comprise the major sending regions associated with Black migration to the U.S. Jamaica and Haiti are the top countries of origin according to ACS 2014 data <sup>10</sup>. As a group, Black immigrants (27%) tend to exhibit higher levels of education than their Latinx (11%) counterparts. At the same time, Black immigrants fall behind Asian American immigrants (30%) in terms of educational attainment. Within group, African immigrants have higher educational attainment in comparison to Caribbean immigrants. Although Black immigrants as a group exhibit high educational attainment levels, they also “have a lower median household income than the median U.S. household and all immigrants in the U.S.” (SOBI 12). Black immigrants also have the highest rate of unemployment (7.4%) in comparison to all immigrant groups (SOBI 13). Although Black immigrants make up 5.4% of the undocumented population they account for an astounding 20.5% of criminal detentions. They are disproportionately represented within criminal proceedings. Considering the size of the population (5.4%), it is striking that Black immigrants comprised 10.6% of all immigrants in removal proceedings between 2003 and 2015 (SOBI 20). Black immigrants are in need of immigration relief, yet remain outside the dominant narrative of immigration reform. This is demonstrated in the current DACA application rates. According to a 2014 United We Dream report, 92.5% of applicants are Latinx, followed by Asian American and Black immigrants at 2.8% and 1.4%, respectively.

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<sup>10</sup> Morgan-Trostle , Zheng and Lipscombe, *State Of Black Immigrants*, 11.

## **Methodology**

My methodological approach is an analysis of three immigrant rights organizations. As part of this analysis, I conducted in-depth interviews and participant observation. I use this approach to situate undocumented Black peoples within the larger sociohistorical context of immigrant rights, Black liberation movements, and anti-Blackness. I engaged in participant observation in various capacities with these organizations over the course of about one year. I spent four months working as an intern at NILC as part of my approach to gathering information. I attended two national convenings, led workshops, and attended organizational events as part of my participant observation work with UBN and BAJI. I took extensive notes throughout the participant observation periods. In addition, I conducted eight formal interviews, each lasting from 30 minutes to an hour with staff and leadership associated with the National Immigration Law Center (NILC), the UndocuBlack Network (UBN), and Black Alliance for Just Immigration (BAJI). Finally, I relied on primary and secondary documentation to further understand how Black immigrants are represented in advocacy spaces and the degree to which they experience secondary marginalization.

Key themes that arose as a result of my research include:

- 1) The experiences of Black undocumented peoples in the U.S. is distinct from that of Latino and Asian undocumented peoples in terms of racial profiling, criminalization, educational attainment, and access to jobs, but especially in terms of invisibility.

- 2) Black immigrants are resisting marginalization and exercising agency by advocating for their own incorporation into mainstream immigrant rights organizations

*Blackness and systematic racialization*

Laws and policies are key to this project because they help demonstrate how racialization and anti-Blackness are embedded within the state's approach to immigration and deportation. Placing Black immigration and migration within a policy framework allows one to deconstruct how movement has been restricted and contained, particularly the movement of Black immigrants. Laws and policies provide context for how Black peoples and Black immigrants have been historically excluded. Incorporating the needs of Black immigrants within the immigrant rights and social justice movements requires addressing past legislation, such as anti-immigrant policies introduced in the 1990s, as well as Comprehensive Immigration Reform proposals and asking about the implications of these policies for Black immigrants. Race, criminality, and legality all inform the political representation of Black immigrants.

As Black peoples in the U.S., Black immigrants also experience anti-Black racism through narratives of criminalization. Criminality has been and continues to be mapped on to Black bodies in the U.S. Khalil Gibran Muhammad's *The Condemnation of Blackness: Race, Crime, and the Making of Modern America*, demonstrates the racialization of crime by providing a historiography of race and crime in America between 1890 and 1940. He argues, "Blackness was refashioned through crime

statistics.”<sup>11</sup> Through the writings and rhetoric of “white social scientists, social reformers, journalists, antiracists activists, law enforcement officials, and politicians”<sup>12</sup> crime statistics between 1890 and the 19020s became racialized as a symbol of Black criminal threat. Although Muhammad does not address Black immigrants, or immigration, he calls attention to central component in my project, criminality, anti-Blackness, and Black bodies. In his work, Muhammad argues that data and statistics have been deployed to racialize Blacks in the U.S.

Muhammad’s emphasis on *racialization* is key to exploring the relationship between Blackness, immigration and deportation. Sociologist Stephen Small defines racialization “as the emphasis on the continuing need to see the intricate relationship between ‘racial’ meanings and other (economic, political, religious) meanings”<sup>13</sup>. Racialization, as articulated by Small, acknowledges that social interactions, even the presentation of statistics in popular discourse, are imbued with racial meanings. Racialization is a key component to this project as it pertains to the ways in which Black immigrants’ experiences are affected by U.S. racial meaning. In addition to using racialization I will also be engaging race as a specific category of analysis. Race is a concept that is significantly shaped by changing social, cultural, economic structures.<sup>14</sup>

In pursuing a study about Black immigrants, we get into the stickiness of how race is constructed. I am at once arguing for the acknowledgement of Black ethnicity as

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<sup>11</sup> Khalil Gibran Muhamad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America*. (Cambridge: Harvard University Press, 2010), 5.

<sup>12</sup> Ibid., 1

<sup>13</sup> Stephen Small, *Racialised Barriers: The Black Experience in the United States and England in the 1980's*. Critical Studies in Racism and Migration, (London: Routledge, 1994) 36

<sup>14</sup> Scholars such as Patricia Hill Collins, Homi Bhabba, Michael Omi, Howard Winant, and others have discussed the complexity of race in terms of the social, cultural, and economic.

well as a category of Blackness. To understand how the removal of Black bodies through the act of deportation is driven by interlocking systems of inequality, I ground this dissertation in the construction of Blackness. Blackness is a social and economic status and vulnerability that is associated strongly with physical features, but is the result of systematic discrimination and ideologies of oppression. Blackness is a particular historical and social meaning that both non-Blacks and Blacks attribute to certain physical features. These social meanings are the result of the processes and imperative to justify European colonialism and the transatlantic slave trade. But within the category of Blackness, there is also variation, including by (sense of or perceived) place of origin. This variation, and associated identities, underlie my understanding of Black ethnicity. Varying Black identities, or ethnicities, connected to a sense of place, are also constructed and are the result of Black migration.

I place Blackness within a Diasporic context that takes into account how sociohistorical and economic realities produce and transform the category of Blackness. A new articulation of the African Diaspora seeks to fully examine the spectrum of Black experiences in the contemporary moment.<sup>15</sup> This new articulation of the Black Diaspora includes a focus on contemporary migrations of Black immigrants within the frameworks

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<sup>15</sup> See, Christina M. Greer, *Black Ethnicities: Race, Immigration, and the Pursuit of the American Dream*. (New York: Oxford University Press, 2013); Ami R. Moore, *The American Dream through the Eyes of Black African Immigrants in Texas*, (Lanham, Maryland: University Press of America, 2013); Percy C. Hintzen and Jean Muteba Rahier, *Problematizing Blackness : Self-Ethnographies by Black Immigrants to the United States*, (New York: Routledge, 2003); Isidore Okpewho and Nkiru Nzegwu. *The New African Diaspora*, (Bloomington: Indiana University Press, 2009); Sharon D. Wright Austin, *The Caribbeanization of Black Politics : Race, Group Consciousness, and Political Participation in America*, (Albany: State University of New York Press, 2018)

of immigration, deportation, and the state.<sup>16</sup> By exploring Blackness in this context, I, too, challenge an essentialized notion of Blackness by addressing how both ethnicity and race contribute to social understandings of Black peoples.

Jemima Pierre's *The Predicament of Blackness: Postcolonial Ghana and the Politics of Race* calls attention to the failures of scholars in the field of African Diaspora studies to center Africa *and* the failure of those who work in African studies to center race in discussions of colonialism. Pierre highlights how race in Ghana is central to understanding colonial rule in Ghana. Pierre highlights that race is also an African problem that grows out of imperial rule. Too often, she argues, race in Black majority nations like Ghana is viewed as an export from the West. But, Pierre argues that race is a critical component of Ghanaian social and economic formations. Even after the end of colonial rule in Ghana, White Europeans continued to exercise power and reinforce distinct notions of Whiteness and Blackness through corporate development and economic dominance in particular industry sectors. Whiteness and Blackness became fundamentally inscribed in patterns of residential segregation. Finally, she demonstrates how the legacy of imperial rule continues to construct race in Ghana by calling attention to skin bleaching. That is, Ghanaian standards of beauty are racialized. For Pierre, race in Ghana is constructed in terms of imperial rule that affects the lived experience of African peoples. Pierre centers race in present-day relations between Africa and the West. Colonial racial logics, often supported by the present-day Ghanaian state, ensure that race remains a prevalent determinant of social structures in present-day Ghana.

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<sup>16</sup> Clarke, Kamari Maxine Clarke and Deborah A Thomas, *Globalization and Race : Transformations in the Cultural Production of Blackness*, (Durham: Duke University Press, 2006),



I find Pierre's emphasis on the instrumental role of race in the formation of present-day Ghana to be useful for how I understand anti-Blackness as it relates to deportation. Pierre is focused on the process of making a state through race. The ways in which she traces the socio- and historical context of the formation of race in Ghana is informative in terms of how I understand the association of anti-Blackness as intertwined with the laws and policies of the United States. I also find her centering of race within colonial discourse helpful for thinking about my own work because it helps me connect large structures of domination to the process of deportation for Black immigrants.

As I consider the writing of Muhammad, Small, and Pierre, a salient theme that runs through these articulations and engagements with Blackness is how racialized communities interact with the state. As I think through group formation and how Blackness has precluded full citizenship for Black peoples, I come back to the ways in which the state proscribes Blackness and how anti-Blackness, in turn, informs state policies and decisions. Even in thinking about how Black immigrants engage politically for rights, I come back to how state power reacts to these demands by issuing laws and policies that restrict movement and mobility (both physical and economic) in ways that have disproportionate negative impacts on Black and Brown bodies.

Vilna Bashi adds to this narrative of race and policy through her analysis of exclusionary practices in the essay, "Globalized Anti-Blackness: Transnationalizing Western Immigration Law, Policy, and Practice". Bashi provides evidence for the exclusion of Blacks from the United States, Canada, and Britain through a comparative account that explores anti-Blackness in relation to immigration based on the histories of the United States, the United Kingdom, and Canada. She closely examines the language

used and the impact of these laws on Black immigrant populations (West Indians), noting how the laws in each region examined impact one another. For instance, the 1952 Walter-McCarran Immigration Act instituted quotas “that slowed the renewed post-war migration of Caribbean migrants from the U.S. to a trickle causing Black immigrants to seek out English shores instead” (592). Bashi’s analysis of immigration policy takes seriously how Black immigrants are implicated in immigration policy.

This discussion would be incomplete without engaging Mae Ngai’s, *Impossible Subjects: Illegal Aliens and the Making of Modern America*, which provides a socio-legal analysis of immigration policy and the rise of “illegal aliens.” Ngai demonstrates how race and exclusion are integral to the modern American nation-state, as was the case with the 1924 immigration reform act which instituted quotas and created a system of immigrant inclusion that distinguished White immigrants from non-White immigrants. Ngai’s extensive and deep analysis demonstrates how immigration laws and policies are sites for exploring the racial, economic, and political culture of the U.S.

Despite the rich body of work provided by these authors, a review of the literature shows that there is still a gap in our understanding on Black immigrants. My research fills this gap by addressing how immigrant advocacy organizations are being challenged by, as well as incorporating, a growing Black immigrant population.

### *Race, Ethnicity, Immigration*

Scholars in the fields of anthropology and sociology have often discussed Black immigrants in comparison to their African American counterparts. The main questions addressed by scholars in this line of research include “Why are Black immigrants faring

better than African Americans?” and “How do race and ethnicity matter for Black immigrants?” This literature focuses on incorporation of Black ethnics and how they are advancing or obtaining the American Dream. Yet the everyday realities of immigrant life and fears of deportation are rarely the focus within the literature on Black immigrants. The failure to take up deportation obscures how Black immigrants are marginalized within immigrant rights organizations and popular narratives related to immigrant rights.

Sociologist Phillip Kasinitz is representative of social science scholars who engage the race/ethnicity paradigm to discuss Afro-Caribbean peoples. Kasinitz explores the relationship that Black immigrants have to race in *Caribbean New York: Black Immigrants and the Politics of Race*. Kasinitz’s focus is on the impact of race on Black Caribbean identity formation during the 1980s. He argues that West Indian migrants either downplay their race or downplay their ethnicity. The decision to emphasize race over ethnicity or vice versa depends on the perceived advantage of being perceived as Black or being perceived as a first- or second-generation immigrant in a particular context. Many scholars argue that Black immigrants use or “play up” their ethnicity as a means for social advancement. In contrast, I contend that for Black undocumented immigrants, neither race nor ethnicity constitutes an advantage. Deportation renders ethnicity to be a weak shield against removal. In the case of Black immigrants, the use of ethnicity for social uplift becomes a failed project.

However, scholars like Hintzen and Greer challenge us to rethink how we engage Black immigrants. Hintzen challenge us to problematize Blackness by focusing on the complex and myriad ways West Indian immigrants and their children negotiate race and ethnicity in America. In *West Indian in the West: Self-Representation in a Migrant*

*Community*, Hintzen examines the West Indian community in San Francisco. Hintzen argues that West Indian migrants in California maneuver between race and ethnicity for economic or social advancement. Hintzen describes West Indians in the West as a small group who are socioeconomically middle-class. They are viewed as model minorities who have “overcome” obstacles of poverty and the disruption of immigration to achieve, on merit alone, middle and upper-middle class economic status”<sup>17</sup>.

*Black Ethnics: Race, Immigration and the Pursuit of the American Dream* by Christina M. Greer provides new insights by focusing on the political power wielded by Black immigrants in the United States. She uses a survey of New York City workers and other data sources to understand the political significance of ethnicity for Black immigrants and African Americans in the post-Civil Rights era. Greer is countering arguments within the field of political science that approach “black populations as ethnically homogenous and one-dimensional population of study.”<sup>18</sup> Greer explores how Black peoples in the U.S. navigate and “negotiate their dual identities of race and ethnicity.”<sup>19</sup> What I find most interesting about Greer’s text is her emphasis on how policy issues can be strengthened once we address the relationship between race, ethnicity and nationality for Black immigrants. Greer argues that addressing intragroup relations can lead to broader coalition-building among Black immigrants and the native born Black population. How can Blacks use their shared racial identity and distinct ethnicities to create long-lasting policy benefits that decrease competition for scarce and/

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<sup>17</sup> Percy Hintzen, *West Indian in the West: Self-Representation in a Migrant Community* (New York, New York University Press, 2001), 10

<sup>18</sup> Christina M. Greer, *Black Ethnics: Race, Immigration, and the Pursuit of the American Dream*. (New York: Oxford University Press, 2013), 145

<sup>19</sup> *Ibid.*, 3

or seemingly scarce resources? In exploring intragroup relations we are forced to address that secondary marginalization experienced by Black immigrants within movements for social justice.

My dissertation builds on the above literatures while taking *intersectionality* as a starting point for understanding Black immigrants' political representation via advocacy organizations. Kimberlé Crenshaw and Patricia Hill Collins articulate the classic interpretations of intersectionality. Crenshaw's article, "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color" explores violence against women within a legal discourse. Crenshaw posits that the current conversation on violence over emphasizes gender while paying little attention to racism. She questions the role of race in shaping the experiences and representations of gender violence. According to Crenshaw, the present frameworks of racial and gender politics do not allow the space for new ways of understanding gender violence because race and gender are discussed separately. In order to bring these two frameworks together, Crenshaw uses a Black feminist perspective that employs intersectionality as a methodology. Her approach to intersectionality in this article demonstrates how women of color, specifically Black women are simultaneously voiceless *and* present in discourses on violence against women. In this article we see a clear and useful approach to intersectionality that is layered, while demonstrating how race and gender constitute each other instead of being separate.

Sociologist Patricia Hill Collins' text, "Some Group Matters: Intersectionality, Situated Standpoints, and Black Feminist Thought," further articulates the ways in which intersectionality has been defined and applied within Black feminist scholarship. Collins

contends that intersectionality is an approach that seeks to demonstrate how gender and race mutually construct one another. As an approach, intersectionality points out common challenges, power relations, and strategies. Collins states that, “As an heuristic device, intersectionality references the ability of social phenomena such as race, class, and gender to mutually construct one another”.<sup>20</sup> As a device it is able to account for difference, the individual, as well as the group by acknowledging how shared circumstances are shaped by power relations. Vivian May’s treatment of “Intersectionality,” questions the traditional application of intersectionality. May views intersectionality as a liberation framework that addresses the politics of everyday life. However she is critical of the ways in which intersectionality is used by scholars in name only and at the level of description.<sup>21</sup>

Intersectionality is a concept I have grappled with since I entered graduate school that I have found helpful for my own research on immigrant advocacy and anti-Blackness. What a Black feminist lens offers us is the model for applying intersectionality as a praxis of equity and reciprocity. This praxis directly applies to my analysis of immigrant advocacy organizations. I evaluate organizational structures and strategies through an intersectional lens. What are the racial, gender, and other identities claimed by staff and leadership? To what extent do advocacy organizations attend to multiple and intersecting identities? Is the fact that individuals experience marginalization in multiple and cross-cutting ways reflected in the organization’s

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<sup>20</sup> Patricia Hill Collins, “Some Group Matters: Intersectionality, Situated Standpoints, and Black Feminist Thought,” in *A Companion to African-American Philosophy*, ed. Tommy Lee Lott and John P. Pittman (Malden, MA: Blackwell, 2003), 208

<sup>21</sup> Vivian May, “Intersectionality, in *Rethinking Women’s and Gender Studies*, ed. Catherine Margaret Orr, Ann Braithwaite, and Diane Marilyn Lichtenstein (New York: Routledge, 2012), 162

mission? Intersectionality is a term that has entered the popular lexicon of the contemporary period. Many activists, scholars, and community-engaged people, including those included in this research, discuss and recognize the importance of addressing intersectional identities, but my interest is in the degree to which two cross-cutting identities – Black and immigrant- receive attention in the immigrant rights space.

I ground my application of intersectionality in the above theories because they each speak to intersectionality as a social justice framework that requires an analysis of power and difference within organizing as well as in institutions that seek to do advocacy- related work. Ultimately my use of an intersectional lens reveals important variation in immigrant communities when it comes to voice and recognition. All immigrants, whether undocumented or documented, do not have the same experiences. Each lived experience is shaped by race, location, gender, class, amongst other structures of inequality. Addressing inequality requires attending to intragroup as well as intergroup dynamics shaped by the aforementioned categories.

As noted above, my application of intersectionality theory is further informed by Cathy Cohen and Dara Strolovitch, who each emphasize secondary marginalization in *group advocacy and at the organizational level*. That is, I adopt Cohen and Strolovitch's concern with lack of representation and advocacy among those who face secondary marginalization within traditional social justice organizations, such as Black immigrants.

In *Affirmative Advocacy*, political scientist Dara Strolovitch argues that interest groups are vital to representing minority or disadvantaged groups. She agrees that is a valid role for advocacy organizations, but questions the effectiveness of these establishments at representing their constituencies. The study is designed to measure the

effectiveness of advocacy groups dedicated to gender and racial equity. A major and useful finding of this text is the breakdown, or distinction between advantaged and disadvantaged subgroups. For instance, the interests of low income Black women, the disadvantaged subgroup, are not as frequently and comprehensively considered as a middle class white woman, the advantaged subgroup. Strolovitch is building on Cathy Cohen's concept of secondary marginalization, which is an extension of intersectionality. Affirmative advocacy and secondary marginalization apply intersectionality as a methodology and assessment for how well advocacy organizations are representing their constituents.

Cathy Cohen's *Boundaries of Blackness* focuses on Black leaders and organizations' responses to the AIDS epidemic in Black communities. According to Cohen, AIDS agencies were slow to respond and Black leaders were silent concerning HIV issues. She raises the following question, why did Black leaders choose not to respond to a crisis that significantly affected the Black community? Both Cohen and Strolovitch explore political processes in order to assess how organizations are representing, advocating, and addressing cross cutting issues. What strategies are these organizations using when their constituents have overlapping issues? Cohen in particular pushes back against a linked fate paradigm, the idea that Black people are connected through a shared oppression, race, which overrides other systemic oppressive structures.

**Chapter outline:**

Chapter 2, "Then and Now: Black Immigration," provides background on the social and political forces driving Black immigration to the U.S. While I describe briefly historical influences on migration, the chapter focuses on contemporary migration.



Ultimately, I attempt to show how immigration policy is deeply racialized and tied to Black migration patterns. Chapter 3, “Advocacy, Race, and Citizenship,” introduces and elaborates upon a theme of Black immigrant *invisibility*. I explore the concept of invisibility as well as provide empirical examples that support my assertions about the experiences of Black immigrants with invisibility. Much of this chapter documents this idea of invisibility through interviews and observations from participant observation in immigrant advocacy organizations. In addition, I analyze Black immigrant invisibility in the Movement for Black Lives. Chapter 4 “Resistance, Removal and Black Immigrants” describes acts of agency in raising up the political representation of Black immigrants through the organizing and policy work undertaken by UndocuBlack Network (UBN) and Black Alliance for Just Immigration. UBN is an emerging organization seeking to “blackify” the immigrant rights movement. Black Alliance for Just Immigration is a leading advocacy organization committed to “educat[ing] and engag[ing] African American and Black immigrant communities to organize and advocate for racial, social and economic justice.”<sup>22</sup> This chapter describes how the UndocuBlack Network has confronted the secondary marginalization of Black immigrants. Chapter 5, “Race, Blackness, and Political Representation” concludes by reviewing the primary claims of the project and supporting them with further analysis. I do this partly by returning to the theoretical roots of the project. I discuss the consequences of secondary marginalization for the political representation of Black immigrants as well as concrete suggestions for reducing secondary marginalization through “affirmative advocacy.”

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<sup>22</sup> “Black Alliance,” Black Alliance for Just Immigration (BAJI), accessed October 2016 <http://blackalliance.org/who-we-are/>

Throughout the dissertation, I place NILC, UBN, and BAJI in conversation to examine what is at stake for Black immigrants, how each organization incorporates this growing and vulnerable population, the factors that contribute to their marginalization, and how UBN encourages advocacy organizations like NILC and BAJI to rethink and reevaluate how they advocate for undocumented Black immigrants in the U.S.

## Chapter 2 Then and Now: Black Immigration

Dear Non-American Black, when you make the choice to come to America, you become black. Stop arguing. Stop saying I'm Jamaican or I'm Ghanaian. America doesn't care. So what if you weren't "black" in your country? You're in America now.

Americanah, Chimamanda Ngozi Adichie

Historian Mae Ngai contends that between 1924 and 1965 the nation was racially and spatially reimagined. She attributes the reorganization of the U.S. racial state to a range of immigration laws and policies, identifying the 1924 Johnson Reed Act as among the most critical. That Act "excluded from immigration Chinese, Japanese, Indians, and other Asians on the grounds that they were racially ineligible for naturalized citizenship."<sup>23</sup> 1924. With this law, the U.S. deeply inscribed restriction and desirability based on both nationality and race, in its immigration policies. Past research attends to the forces shaping Blackness in the U.S., but pays little attention to immigration policies. In this chapter, I show how U.S. immigration policies have worked to both promote and limit Black mobility (physical, social and economic) and shape notions of Blackness.

Immigration policy prior to 1965 placed multiple and expanding restrictions on immigration based on national origin, race, gender, and ancestry. The national-origin quotas that were included in the 1924 legislation were foreshadowed by the racial restrictions put in place in 1917 with the creation of the "Asiatic barred zone." The 1882 Chinese Exclusion Act was created to curb the large influx of Chinese immigrants produced by the Gold Rush of 1849. This act remained in place for sixty years (1943).

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<sup>23</sup> Mae Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Politics and Society in Twentieth-Century America (Princeton: Princeton University Press, 2004), 17

Guest worker programs such as Mexican Bracero and Jamaican H2, were implemented to curb the labor shortages produced by World War II. These guest worker programs sought to regulate the influx of immigrants by creating agreements between U.S. business and the sending countries, effectively de-coupling immigrant labor and immigrant inclusion through naturalization.

The 1965 Immigration and Nationality Act, the Hart-Celler Act, was created to repeal the quota systems imposed by the 1924 Johnson-Reed Act and the McCarran-Walter Act of 1952. The Hart-Celler Act, “abolished the national-origins quota system, eliminating national origin, race, or ancestry as a basis for immigration to the United States.”<sup>24</sup> Lawmakers lifted national origin quotas to counter critiques that the U.S. was engaging in a racialized practices at odds with its call for democratic reforms abroad during the Cold War.<sup>25</sup> Since 1965 the U.S. immigrant population has quadrupled. According to Pew Research, more than 40 million immigrants reside in the U.S. with a quarter of that percentage being unauthorized immigrants. The population grew from 4.7% in 1970 to 13.4 % today<sup>26</sup>. An unintended consequence of the 1965 act was an increase in immigrants of color, particularly Black immigrants. It was credited with increasing admission from Asia, Africa, Latin American, and the Middle East.<sup>27</sup>

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<sup>24</sup> Mary C. Waters, Reed Ueda, and Helen B. Marrow. *The New Americans: A Guide to Immigration Since 1965* (Cambridge: Harvard University Press, 2007), 695

<sup>25</sup> Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy*. Politics and Society in Twentieth-Century America (Princeton: Princeton University Press, 2000)

<sup>26</sup> Gustavo Lopez and Kristen Bialik, “Key Findings About U.S. Immigrants,” Pew Research Center, May 3, 2017, <http://pewrsr.ch/2qz2zvx>, paragraph 3

<sup>27</sup> Muzaffar Chishti, Faye Hipsman, and Isabel Ball, “Fifty Years On, the 1965 Immigration and Nationality Act Continues to Reshape the United States,” Migration Policy Institute, October 15, 2015, <https://www.migrationpolicy.org/article/fifty-years-1965-immigration-and-nationality-act-continues-reshape-united-states>

Due to the lifting of restrictions and influx of immigrants of color, scholars of immigration, race, and ethnicity mark 1965 as the beginning of the contemporary immigration stream. The 1965 immigration law shifted the geography, origin of immigrants by numerically expanding immigration from the Eastern hemisphere and removing the 20,000 per country limit placed on the Western Hemisphere.<sup>28</sup> Visa preferences prioritized the reunification of immigrants already in the U.S. with family members and immigrants who could bring professional skills and abilities to the U.S. Since 1965 the country has seen a dramatic increase in the numbers of Black immigrants from Africa and the Caribbean.<sup>29</sup> The top ten countries in term of raw population numbers for Afro-Caribbean immigrants are Jamaica, Haiti, Trinidad and Tobago, Guyana, Dominican Republic, Barbados, Panama, Mexico, Bahamas, and Belize.<sup>30</sup> The top sending African countries are Nigeria, Ethiopia, Somalia, Sudan, Eritrea, Guinea, Ghana, Liberia, Sierra Leone, Kenya, and Cameroon.

Since 1965, several policies have contributed to the increase of Black immigration to the U.S. The 1976 Immigration and Nationality Act implemented the resettlement of refugees and placed refugees outside the worldwide immigration capacity/limits set by the 1965 Act. In other words, refugees are not counted within hemispheric immigration quotas. Immigrants from Somalia, Ethiopia, Haiti, Eritrea, and Cuba benefited from the

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<sup>28</sup> Mary Waters, *The New Americans*, 30

<sup>29</sup> Monica Anderson, "A Rising Share of the U.S. Black Population is Foreign Born, Pew Research Center, April 9, 2015, <http://www.pewsocialtrends.org/2015/04/09/a-rising-share-of-the-u-s-black-population-is-foreign-born/>

<sup>30</sup> Monica Anderson, "African Immigrant Population in U.S. Steadily Climbs," Pew Research Center, February 14, 2017, <http://www.pewresearch.org/fact-tank/2017/02/14/african-immigrant-population-in-u-s-steadily-climbs/>

1980 Refugee Act, which provided 500,000 visas annually for refugees and asylees.<sup>31</sup> The 1986, Immigration Reform and Control Act, made it possible for (un)authorized immigrants who could prove they had lived in the U.S. for at least four years to apply for legal status. This reform allowed “35,000 sub-Saharan African and a 100,00 English Caribbean immigrants to obtain legal status.”<sup>32</sup> Cubans and Haitians were also allowed to adjust their status to permanent residency.<sup>33</sup>

However, several immigration laws and policies restrict, exclude, and have adverse repercussions for immigrants of color, particularly Black immigrants. The Clinton Administration passed three laws of relevance to my project – the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), the Illegal Immigration Reform and Immigration Responsibility Act (IIRIRA), and the Antiterrorism and Effective Death Penalty Act (AEDPA). The AEDPA coupled with the IIRIRA resulted in a dramatic increase in the prison population as well as an increase in the number of prisons. The Welfare Reform Act barred undocumented immigrants from services such as “Medicaid, Temporary Assistance to Needy Families, and food stamps for which they had been previously eligible.”<sup>34</sup> In 1997, when the Act was implemented, “an estimated 940,000 of the 1.4 million legal immigrants receiving food stamps lost

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<sup>31</sup> The 1980 immigration reform act also made distinction between refugee and asylee. “You may seek a referral for refugee status only from outside of the United States.” “You may apply for asylum in the United States regardless of your country of origin or your current immigration status.” See, USCIS <https://www.uscis.gov/humanitarian/refugees-asylum>

<sup>32</sup> Mary Mederios Kent, “Immigration and America’s Black Population” (Population Reference Bureau, 2007), 6

<sup>33</sup> Waters, *The New American*, 333

<sup>34</sup> Kamari Maxine Clarke, “Notes on Cultural Citizenship in the Black Atlantic World,” *Cultural Anthropology* 28, No. 3 (2013): 153

their eligibility”<sup>35</sup>. The welfare reform law also “punished harshly with limited emphasis on rehabilitative measures”<sup>36</sup>.

The 1996 laws reproduced stratification, inequality, and inequity. Focusing on immigration, the 1996 laws made more immigrants deportable and lessened their chances for documentation or legal permanent residency. Criminalization was also intensified through the coupling of the 1994 three strikes law<sup>37</sup> with the 1996 immigration reform laws, which produced hyper-policing and increased incarceration and detainment of Black people across the nation. Immigrants were given limited access to legal assistance (no due process), detained, then deported.<sup>38</sup> The 1996 laws were increasingly punitive in nature and expanded the types of crimes that could lead to removal, as well as retroactive punishment. These crimes included, shoplifting, petty theft, DUIs, traffic violations, and low-level drug offenses were reclassified as aggravate felonies, which could lead to deportation.<sup>39</sup> The possibility of detainment was increased under 287(g), a provision in the 1996 Illegal Immigration Reform and Immigrant Responsibility Act, which allows state and local law enforcement officers to perform immigration law enforcement functions, also referred to as cross deputization. This provision impacts the mobility of

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<sup>35</sup> Ibid., 153

<sup>36</sup> Ibid., 149

<sup>37</sup> Judith Ann Warner, “The Social Construction of the Criminal Alien in Immigration Law, Enforcement Practice and Statistical Enumeration: Consequences of Immigrant Stereotyping,” *Journal of Social and Ecological Boundaries*, no 1.2 (2005): 61-62

<sup>38</sup> Patrisia Macías-Rojas, "Immigration and the War on Crime: Law and Order Politics and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996," *Journal on Migration and Human Security* 6, no. 1 (2018): 10

<sup>39</sup> Arelene Roberts, "The Faces of Deportation: A Report on the Forced Repatriation of Immigrants from the English-Speaking Caribbean (and Related Policy Recommendations)" *Huffington Post* (2009), 11

[http://big.assets.huffingtonpost.com/the\\_faces\\_of\\_detention\\_and\\_deportation.pdf](http://big.assets.huffingtonpost.com/the_faces_of_detention_and_deportation.pdf)

undocumented immigrants and increases the potential for interaction with law enforcement and detainment. The 1996 laws also hindered employment and employability of undocumented people by sanctioning employers who hired undocumented workers. Aid to Families with Dependent Children was also dismantled in 1996, which doubled poverty to 1.5 million in the decade and a half after the law was passed.<sup>40</sup> Finally, U.S. code 8 usc 1621, barred undocumented immigrants from jobs requiring licensing. According to an American Civil Liberties Union (ACL) report, 15% of individuals in immigration detention centers have a mental disability.<sup>41</sup>

The convergence of these laws resulted in the hyper surveillance and hyper criminalization of Black communities:

Black immigrants are deported at a higher rate than other immigrants as a result of the 1996 laws. Nearly 22% of immigrants facing deportation as a result of criminal contact is Black. As a result of the 1996 laws, thousands of Black immigrants are ineligible for immigration and executive action programs such as DACA, Temporary Protected Status (TPS), and Special Juvenile Status.<sup>42</sup> (Black Alliance for Just Immigration)

The most salient feature of 1996 laws and other immigration policies are the ways in which immigrants of color are racialized. Different immigrant groups within the U.S. have been incorporated as well as racialized within the Black/white binary throughout the nation's history. White supremacy and anti-Blackness shaped their racialization. Jean Pfaelzer's, *Driven out: the forgotten war against Chinese Americans*, narrates how Asian

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<sup>40</sup> Michelle Alexander, "Why Hillary Clinton Doesn't Deserve the Black Vote." *The Nation*, February 10, 2016, <https://www.thenation.com/article/hillary-clinton-does-not-deserve-black-peoples-votes/>

<sup>41</sup> Human Rights Watch, "Deportation by Default: Mental Disability," 2010  
<https://www.aclu.org/detention-deportation-and-mental-disabilities>

<sup>42</sup> Opal Tometi, "Black Lives Matter Co-Founder: The Immigration Challenge No One Is Talking About," *TIME*, April 29, 2016, <https://time.com/4312628/immigration-1996-laws/>



Americans were driven out and lynched because they were racialized as Black. Pfaelzer chronicles Chinese American exclusion and banishment from the Pacific Northwest by the white community and their attempts at reparations. She details how U.S. racism is infused into the laws and policies of the land. Although not directly stated, Pfaelzer's text demonstrates how some acts of Chinese exclusion such as the Geary Act (1892)<sup>43</sup> also align with U.S. policies towards former enslaved African peoples. The racism experienced by Chinese Americans during the late 19<sup>th</sup> and early 20<sup>th</sup> century does not occur in a vacuum, but in relation to the oppression of other groups. According to Pfaelzer the Chinese were lynched in Los Angeles in (1871), barred from testifying in court, assaulted, viewed as second class citizens, and scapegoated for economic downturn. All of these examples of violence perpetuated against Chinese Americans stems from a larger racialization of people color by white America. The examples set forth by Pfaelzer exemplify the interlinking between race and immigration that racialized Chinese Americans as others. Additionally, the sanctions, violence, and othering used against Chinese Americans, stems from U.S. racial dynamics, particularly the anti-Blackness experienced by Black peoples.

*Race, the Immigration Laws, and Domestic Race Relations: A "Magic Mirror" into the Heart of Darkness*, by Kevin R. Johnson, also explores the relationship between U.S. immigration policy and race. According to Johnson, the evolution of immigration law is shaped by race, nativism, and economics.<sup>44</sup> Similar to Jean Pfaelzer, Johnson argues that immigration policy does not occur in a vacuum. For instance, the

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<sup>43</sup> Jean Pfaelzer. *Driven Out: The Forgotten War against Chinese Americans* (New York: Random House, 2007) 329.

<sup>44</sup> K. R. Johnson "Race, the Immigration Laws, and Domestic Race Relations: A "magic Mirror" into the Heart of Darkness." *Indiana Law Journal* 73, no. 4 (1998): 1119.

implementation of the Chinese Exclusion Act (1882) occurred alongside efforts to deport Mexican citizens and harsher policies towards Black immigrants--Haitians seeking refuge. Johnson also explains how laws that granted rights to African Americans were implemented while the rights of other people of color were being restricted. For instance, the Chinese Exclusion Act was enacted on the heels of the 14<sup>th</sup> amendment, and Brown v. Board of education was passed the same year "Operation" Wetback" commenced.<sup>45</sup> Efforts to maintain the enslavement of African peoples resulted in the Treaty of Guadalupe Hidalgo (1848). In sum, he argues that the subordination of one racial group always occurs in tandem with the marginalization of another racial minority. I find these ideas to be important for my own research on immigrant advocacy because claims for rights for one group often relates to inequality for another marginalized group. Here we see that rights being granted to African Americans is related to concurrent policies that disparage Chinese and Mexican immigrants who are, "historically classified as foreign."<sup>46</sup> What is left out of this discussion is a deeper engagement with Black immigrants. Johnson mentions Haitian interdiction at sea by the Reagan administration, but fails to draw connections between progressive civil rights policies and the ways in which anti-immigrant policies passed soon after affected Blacks who were not U.S. born.

The racialization of immigrant others is further exemplified in Natalia Molina's conception of racial scripts, in her book, *How Race is made in America: Immigration, Citizenship, and the Historical Power of Racial Scripts*. Molina provides a comprehensive and historical understanding of Mexican and Mexican American citizenship. She posits a relational approach to the study of how Mexicans have been

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<sup>45</sup> Ibid, 1117.

<sup>46</sup> Ibid., 1116

racialized in the U.S. and argues that ideas about group A, influence ideas about group B. In particular, White America's view of Black people as inferior and uncivilized informs how other people of color are viewed and racialized. For instance, Molina states that white Americans viewed "Mexicans as the Negro problem of the South West."<sup>47</sup> She delineates how Mexican and Mexican Americans were denied citizenship, but also contested and challenged legislation. Of particular importance is the role of the state, which provides the conditions and structures that produce racialized groups and controls their access to citizenship. The racialization that Asian Americans and Mexican Americans experience stems from racial scripts, "constitutive process[es] and thus attends to how, when, where, and to what extent groups intersect."<sup>48</sup> In sum, the racialization of immigrants of color is rooted in anti-Blackness that stems from enslavement.

This dissertation focuses on Afro-Caribbean and African immigrants due to their Blackness. Black immigrants enter a racialized terrain when immigrating to the U.S. Many Black immigrants are coming from territories where they are the majority racially and ethnically. Upon entering the U.S. racial structure, they often privilege their ethnic identity. At the same time, they cannot deny their racial identity. Mary C. Waters, Vilna Bashi, and Phillip Kasinitz each offer commentary on the tensions that exist between race and ethnicity for Black immigrants. Sociologist Mary Waters points out, for example, that immigrants do not have to choose their identities in order to maintain Black

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<sup>48</sup> Natalia Molina, *How Race Is Made in America: Immigration, Citizenship, and the Historical Power of Racial Scripts*, (Berkeley: University of California Press, 2014) 3.

solidarity.<sup>49</sup> This is an important point to note because the literature has emphasized distancing between Black immigrants and African Americans. Kasinitz also explores the tensions between race and ethnicity, exhibited in the following question, “Why does an immigrant group play down its separate identity and merge itself within a larger society at one point in its American experience, only to choose to emphasize its cultural distinctiveness at another, much later point?”<sup>50</sup> This question is a major one in the field of Caribbean migration studies. It underscores some scholars’ assumption that ethnicity and race exist in opposition to one another rather than coexisting simultaneously. The question posed by Kasinitz is helpful because highlights how identities change depending on situation, timing, and location. The discussion of race and ethnicity amongst Black immigrants in the twenty-first century must be considered within this context. As Molina asserts, racialization is relational. In sum, Black immigrants enter a racial context where race, anti-Blackness, and ethnicity shape their socioeconomic outcomes and identity choices.

Trietler demonstrates the complexity of navigating race and ethnicity in *The Ethnic Project: Transforming Racial Fiction into Ethnic Factions*. She argues that an emphasis on ethnicity, especially when used to distance from “Blacks,” perpetuates a racial hierarchy that results in reinforcing race and racism. Trietler addresses the following questions: How were different ethnic groups incorporated into the American polity? Why did some ethnic group’s strategy for social uplift and mobility work and others fail? By addressing these questions, Trietler provides insight into the ways

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<sup>49</sup> Mary Waters, *Black Identities: West Indian Immigrant Dreams and American Realities*. (New York: Russell Sage Foundation, 1999), 64.

<sup>50</sup> Philip Kasinitz. *Caribbean New York: Black Immigrants and the Politics of Race*. (Ithaca: Cornell University Press, 1992), 7.

racialization and anti-Blackness work within immigrant communities. Racialization in this context centers on how ethnic groups are incorporated into lower levels of the U.S. racial hierarchy upon arrival.<sup>51</sup> The main way that immigrant ethnic groups are able to escape this process of racialization is through their own ethnic projects, social actions that shift perceptions, by distancing themselves from those at the bottom (Black Americans). Trietler convincingly demonstrates that immigrant ethnic formation often reinforces the rhetoric and practices of anti-Blackness. Further, Trietler's analysis of ethnic projects demonstrates that the myths produced by the race and ethnicity binary does not achieve advancement for Black immigrants and ends up playing upon and re-inscribing anti-Black attitudes.

There are many factors that contribute to the inclusion and exclusion of Black immigrants within the racial hierarchy of the U.S. These factors include race, gender, class, and education. As the opening epigraph states, Black immigrants enter a racial context in which they become Black, often in a new way. Prior to arrival they are Ethiopian, Haitian, West African, Caribbean, but upon entering the United States of America, they are also racialized as Black American. Black immigrants do not escape the racial dynamics imposed by the Black/white binary. They are Black in their country of origin, but this identity takes on a new meaning in the U.S. The following statement by an Ethiopian immigrant residing in Portland, Oregon solidifies the above point, "Before

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<sup>51</sup> Vilna Bashi Treitler, 2013. *The Ethnic Project: Transforming Racial Fiction into Ethnic Factions*. (Stanford: Stanford University Press, 2013), 5.

coming here, I understood class and gender. Race and gender. Race I had to learn. I had to learn it the hard way”<sup>52</sup>.

The Black/white binary shapes the incorporation of immigrants of color within the larger U.S. racial structure. Immigration and associated policies have shifted the binary to one that is black/non-black. “Immigrants in other words, are largely being assimilated into the white majority, a process that continues to elude African Americans.”<sup>53</sup> I would extend this argument to account for those who are racialized as Black. Although the U.S. is becoming more diverse, a racial hierarchy that includes Black immigrants, still remains a potent ideology in U.S. life.

### **Black immigration**

Although this study centers on post-1965 immigration, Black Caribbean immigrants have been entering the U.S. voluntarily in significant numbers since the late 1800s. Often lost in traditional accounts of Black racial formation with its emphasis on the transatlantic slave trade, are significant waves of voluntary Black migration. As such, the story of Black movement to and within the U.S. is over-simplified. Early immigration to the Americas came through the Panama Canal, when Jamaicans arrived in the U.S. in 1850. According to Milton Vickerman there were three major historical waves of Jamaican immigration, 1900s-1920s, 1940s-1950s, and post-1962.<sup>54</sup> Caribbean people migrated due to “chronic over population, scarce resources, seclusions, and limited

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<sup>52</sup> Violet Showers Johnson, "When Blackness Stings: African and Afro-Caribbean Immigrants, Race, and Racism in Late Twentieth-Century America," *Journal of American Ethnic History* 36 (2017): 32

<sup>53</sup> Steven Shulman, Introduction to *The Impact of Immigration on African Americans*, (New Brunswick: Transaction, 2004), xi

<sup>54</sup> Milton Vickerman, “Jamaica” in *New Americans: A Guide to Immigration Since 1965*, ed. Mary C. Waters, Reed Ueda, and Helen B. Marrow (Cambridge: Harvard University Press) doi:10.4159/9780674044937

opportunities of a small island.”<sup>55</sup> The first were industrial workers, servants, and laborers back home. Most Caribbean immigrants settled in New York, New Jersey, Florida, California, Texas, and Illinois.<sup>56</sup> The majority of the first wave settled in NY, joining the city’s Black community, particularly in the area of leadership. By 1920, Black immigrants accounted for more than 65% of the foreign population in Miami. Mostly from the Bahamas, they were 52 % of the Black population and 16.3% of Miami’s total population. Immigration restrictions and the Great Depression significantly decreased the migration of non-Hispanic Caribbean immigrants. Decolonization movements in Caribbean countries spurred migration in the 1940s and 1950s. Those who came to the U.S. were a mixture of elite and working-class immigrants. Black immigration again increased in the 1960s with the passage of major immigration policy reforms.<sup>57</sup>

Free Black immigrants entered the U.S. before and after the long period of U.S. slavery. Sociologist Ira Reid, in *The Negro Immigrant: His Background, Characteristics and Social Adjustment, 1899-1937*, argues that little attention has been paid to the foreign-born “Negro immigrant” and immigration policy. This invisibility within the dominant accounts occurred even though “Negro” immigrants outnumbered other immigrant groups of color during the late nineteenth- and early twentieth centuries. Reid traces different immigration policies connected to the following categories: exclusion, free immigration, and restriction. The 1924 Immigration Act which imposed national-

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<sup>55</sup> Phillip Kasinitz, *Caribbean New York*, 19

<sup>56</sup> Ibid.

<sup>57</sup> David Reimers in *Other Immigrants :The Global Origins of the American People*. (New York: New York University Press, 2005), 231-250. Reimers notes that Caribbean immigration increased after 1970. During the 1990s more than 900,00 Caribbean immigrants arrived, “most of whom were black by American racial classification” (231). The largest number of Black immigrants after WWII were from the Caribbean. Jamaicans represented the largest influx of Caribbean, post WWII, because they were recruited by the federal government to cut sugar cane in Florida and work cranberry fields in Wisconsin.

origin quotas, severely restricted Black immigration. Most African immigrants granted entry during this period were White missionaries. Reid argues that during the construction of this Act, government officials emphasized that “the barred zone should be extended to Africa and also the West Indies, especially to Jamaica and the Bahamas to stop the coming of blacks from these quarters.”<sup>58</sup> Proponents wanted to restrict immigration from this region because they did not want to add to the “negro problem.”<sup>59</sup> In addition, the passage of the fourteenth amendment was not intended to increase immigration from Africa or the Caribbean. The implementation of the literacy act and quotas were intended to curb the increase of Black immigrants. Reid demonstrates that race mattered, particularly Blackness, even though blacks were not an explicit target in immigration policy.

Similarly, Nancy Raquel Mirabal and Irma-Watkins Owens both focus on early Black immigration to North America. Irma Watkins-Owens’s text, *Blood Relations: Caribbean Immigrants and the Harlem Community, 1900-1930*, deals with the formation of ethnic enclaves and the relationship between these communities. Although Watkins-Owens’s work is set during an earlier time period than the previous text, her groundbreaking research is fundamental to understanding on-going debates about relationships between black Americans and foreign-born blacks in New York. Her examination of Harlem during this time period focuses on first and second-generation immigrants, their family, and friendship networks. The author traces the development of Harlem and the impact that black Southern, West Indian, and African migrants had on the

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<sup>58</sup> Ira De Augustine Reid. *The Negro Immigrant: His Background, Characteristics, and Social Adjustment, 1899-1937*. (Columbia University Studies in the Social Sciences, New York: AMS Press, 1970), 32.

<sup>59</sup> Ibid., 32-34.



area during the first half of the twentieth century. Her main focus is on the diversity of Harlem. However her work touches on the tensions that arise within this community. Unlike other scholars who have examined these tensions in terms of economic completion and inequality, Watkins-Owens argues that it is the natural result of multiple *ethnic* groups fighting for limited resources.

Mirabal in *Suspect Freedoms: The Racial and Sexual Politics of Cubanidad in New York, 1823-1957*, also explores how race, migration, and revolution have shaped community and Diaspora. She specifically centers Afro-Cuban politics and intellectual production while highlighting that “Afro-Cuban migrants have a long and varied political history and existence in New York, one rooted in defining and fighting for their freedom.”<sup>60</sup> I highlight this quote and the narratives presented by Reid and Watkins-Owens because they help to illustrate that the presence of Black immigrants is not a new phenomenon – but part and parcel of U.S. history. Nonetheless, Black immigrants are not central to our understanding of immigration history or contemporary accounts.

I would argue that this invisibility is due to multiple factors which include lack of detailed statistical data. Data are limited because of how many agencies classify Black immigrants. There are inconsistencies between race and nationality. Reid provides the following example, “Negroes entering the United States from the British West Indies are not recorded as Negroes, but as West Indians.”<sup>61</sup> This example shows that nationality *and* race were difficult to capture. Another factor mentioned by both Mirabal and Reid is the

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<sup>60</sup> Nancy Raquel Mirabal. *Suspect Freedoms : The Racial and Sexual Politics of Cubanidad in New York, 1823-1957*. Culture, Labor, History Series. (New York: New York University Press, 2017), 6.

<sup>61</sup> Reid, *The Negro Immigrant: His Background, Characteristics, and Social Adjustment*, 12.

difficulty in finding archives and other primary sources for Afro descendants during the late 19<sup>th</sup> and early 20<sup>th</sup> century.

African, Afro-Latino, and Afro-Caribbean immigrants have different routes of entry. Their migration and identity as both Black and immigrant is shaped by U.S. policies and economic and political developments in the country of origin. This will be highlighted through more detailed attention to three Afro-Caribbean groups: Jamaicans, Dominicans, and Haitians.

### *Jamaicans*

Independence and the 1965 Immigration and Naturalization Act, which lifted earlier national-origin quotas, significantly increased Jamaican immigration. Jamaican immigrants are often categorized as economic migrants. The stereotypes surrounding Jamaicans fall into two categories. They are widely viewed as either educated migrants who hold multiple jobs and are home owners or as drug dealers, and gang members.<sup>62</sup> Another significant turn in Jamaican immigration occurred in the 1980s. Migrants arriving during this wave were seen as drug smuggl[ers] from the island as U.S. elected officials spread panic over crack cocaine in major U.S. cities. Some law enforcement officials in the U.S. came to see Jamaicans as linked to drug-ring “posse”—whom they erroneously connected to Rastafarians. Jamaicans were accused of being crack dealers. Jamaican immigrants who were accused of leading criminal gangs negatively affected the public image of the larger Jamaican American community.<sup>63</sup> This third wave of immigration also produced a sizeable undocumented Black population. Whereas white

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<sup>62</sup> Tanya Golash-Boza, *Due Process Denied: Detentions and Deportations in the United States*. (New York: Routledge, 2012), 45.

<sup>63</sup> Tanya Maria Golash-Boza, *Deported: Immigrant Policing, Disposable Labor, and Global Capitalism. Latina/o Sociology Series*. (New York: New York University Press, 2015), 110.

immigrants will assimilate by the second or third generation, Jamaican immigrants of color cannot. One can argue, therefore, that Jamaican marginalization is complicated by the color of their skin. It is a matter of being Black and West Indian, or other, in America.<sup>64</sup>

### *Dominicans*

The first wave of Dominican migration began in the mid-1960s, followed by an increase between 1970-1980, and a decline in mid-1990s. Immigrants from the Dominican Republic are most often described as economic migrants who are also escaping political unrest, due to the financial political instability of the Trujillo regime and tensions that followed the assassination of the Mirabal sisters. Cold War politics also drove migration from the Dominican Republic. In 1965, Lyndon B Johnson sent U.S. troops to the region to combat communist mobilization.<sup>65</sup> This intervention increased migration to the U.S. by 10,000 per year after 1960s (first half of the 60s). However, a plurality of the population consists of recent migrants who arrived between 1990-2000. According to the Migration Policy Institute (2014), immigrants from the Dominican Republic are “more likely than the overall foreign-born population in the United States to live in poverty, be Limited English Proficient, and have gained U.S. citizenship; they

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<sup>64</sup> Toni Fuss Kirkwood, “The Marginalization of Jamaican Immigrants of Color in the United States: An Interview,” National Council for the Social Studies, Accessed February 2018, <http://www.socialstudies.org/sites/default/files/publications/se/6402/640205.html>

<sup>65</sup> Muzaffar Chishti, Faye Hipsman, and Isabel Ball, “Fifty Years On, the 1965 Immigration and Nationality Act Continues to Reshape the United States,” Migration Policy Institute, October 15, 2015, <https://www.migrationpolicy.org/article/fifty-years-1965-immigration-and-nationality-act-continues-reshape-united-states>

were less likely to have a college degree or to be uninsured.”<sup>66</sup> 28% of Dominicans live below the poverty line, in comparison to 21% of the Caribbean population and 19% of the overall foreign born population.<sup>67</sup>

### *Haiti*

Haitians have a long history of immigration to the U.S. as economic migrants, refugees, and asylees due to political turmoil and environmental disasters in their country of origin. The stigma surrounding Haitian migration is embedded in U.S.-Haitian relations. According to legal scholar Malissa Lennox, “The United States has meddled in Haitian affairs since the advent of African slavery.”<sup>68</sup> During the 19<sup>th</sup> century, the U.S. used Haiti as a holding place for “unmanageable” enslaved Africans in order to avoid a revolt. In this context, forced removal was used as a tool to control revolution. At the same time, ties between the U.S. and Haiti opened the U.S. as a potential site of refuge and migration. The first wave of Haitian migration to the U.S. occurred between 1791 and 1809, during the French and Haitian revolutions. The political refugees that arrived during this first wave became lawyers, politicians, physicians, operated newspapers and founded churches in Louisiana. This early relationship between the U.S. and Haiti reflects 200 years of Haitian migration and contribution, yet this narrative of Haitian-U.S. relations is rarely told and is a sign of deep stereotypes.<sup>69</sup> Unequal power dynamics between Haiti and the U.S. continued during U.S. military occupation of Haiti, from

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<sup>66</sup> Chiamaka Nwosu and Jeanne Batalova, “Immigrants from the Dominican Republic in the United States,” Migration Policy Institute, July 18, 2014, <https://www.migrationpolicy.org/article/immigrants-dominican-republic-united-states>

<sup>67</sup> Ibid.

<sup>68</sup> Malissa Lennox. “Refugees, Racism, and Reparations: A Critique of the United States’ Haitian Immigration Policy.” *Stanford Law Review* 45 (1993): 723.

<sup>69</sup> Ibid.

1915-1934. U.S. military occupation of Haiti transported U.S. anti-Black ideologies to the island. For example, a senior U.S. military officer described Haitians as “the blackest bluegum nigger you ever saw” and “niggers in spite of the[ir] thin varnish of education and refinement. Down in their hearts they are just the same happy, idle irresponsible people we know of.”<sup>70</sup> When U.S. forces departed from Haiti in 1934, they left behind U.S. racism, a damaged economy, and had failed to implement democracy. Although they no longer occupied Haiti, they exerted a negative influence by supporting the dictatorship of Francois “Papa Doc” Duvalier in 1957 and the succession of his son, Jean-Claude “Baby Doc” Duvalier in 1971.

The dictatorship of “Papa Doc” initiated the second wave of Haitian migration to the U.S. His presidency shifted migration from France and Canada towards the U.S. In the 1960s, over a quarter of Haitian migrants to the U.S. were professionals, about 60 percent of the first wave finished high school and roughly one-out-of-ten earned a college degree.<sup>71</sup> Haitian people were fleeing the violence as well as the economic instability produced by Duvalier’s dictatorship. Although Haitians were primarily escaping political turmoil, the of majority of asylum cases were denied and converted to refugee status instead of permanent residency. According to legal scholar Malissa Lennox, there were about 50,000 Haitians seeking asylum during the third wave, 1972-1980. Out of the 50,000 Haitian applications for asylum from 1972 -1980, only 25 were granted.<sup>72</sup> The U.S. attempted to curb high levels of asylum seekers by “accelerat[ing] deportation,

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<sup>70</sup> Lennox, “Refugees, Racism, and Reparations,” 694

<sup>71</sup> Ibid.

<sup>72</sup> Ibid., 700

detention, and interdiction at sea.”<sup>73</sup> The Immigration and Naturalization Service (INS) was also instructed to increase their caseload from 1 hearing a day to 55 per day. The Reagan administration also implemented a policy of interdiction at sea, intercepting “vessels carrying Haitians at seas, before they reached U.S. soil.”<sup>74</sup>

Additionally, the stigmatization of Haitians grew between the 1970s and 1990s. “The U.S. media stigmatized Haitians as desperately poor and pathetic people who were washed onto south Florida's shores.”<sup>75</sup> This was in reference to Haitian “boat people” in 1963 and 1972. Although Cubans were also arriving on US shores by boat during this time they were not stigmatized as disease ridden and marked as carriers of AIDS by the CDC. “Haitians were the only persons who were detained regardless of whether they were deemed likely to abscond or pose a public threat.”<sup>76</sup> U.S. policy towards Haitians viewed them as triple threats, Black, immigrant, and Haitian.

### *Contemporary African immigration to the United States*

It is also instructive to provide a brief overview of contemporary migration from Africa to the U.S. African immigrants have the highest influx of new immigrants amongst all Black immigrants. Since 2009 “the number of African immigrants in the United States has increased more than 40-fold over the past 50 years, growing from 35,355 in 1960 to almost 1.5 million in 2009.”<sup>77</sup> The migration of Black immigrants has

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<sup>73</sup> Ibid.

<sup>74</sup> Ibid., 703

<sup>75</sup> Mary C. Waters, Reed Ueda, and Helen B Marrow. *The New American: A Guide to Immigration Since 1965*. Harvard University Press Reference Library, (Cambridge, Mass.: Harvard University Press, 2007), 448

<sup>76</sup> Ibid.

<sup>77</sup> Kristen McCabe, “African Immigrants in the United States,” Migration Policy Institute, July 21, 2011, <https://www.migrationpolicy.org/article/african-immigrants-united-states>

been shaped by unstable economies, natural disasters, and educational opportunities.<sup>78</sup> The majority of African immigrants are arriving from Nigeria, Ghana, and Ethiopia. Often African immigrants are entering the U.S. as refugees or asylees. The leading African countries for refugees between 2001-2010 were Somalia, Sudan, Ethiopia, Burundi, the Democratic Republic of Congo, Eritrea, and Sierra Leone. Ethiopia is the leading country of asylums granted. Overall, "African nationals accounted for 21.2 percent"<sup>79</sup> of total individuals granted asylum. Family reunification (48%) and Diversity Visas (24%) also account for a significant portion of African immigration. Nigerians (10.6%), Sierra Leone (13.5%), Ghanaians (14.6%), Morocco (10.8%) less likely than other Africans to live below the poverty line. Somalia (49.9%), Sudan (41.2%), Guinea (42.7%) are above the average for African immigrants living in poverty."<sup>80</sup>

African immigrants and Caribbean immigrants differ in important respects. The diversity of Black immigrants is reflected in range of ways they enter the U.S. Caribbean immigrants, most often classified as "economic migrants," benefit largely from family reunification and temporary immigrant visas- tourists, business travel, work study, and temporary work. African immigrants are more likely to enter the U.S. as refugees, asylum seekers, or international students. African immigrants represent the majority of recent Black immigrants to the U.S. Although Black migration is being fueled currently by an influx of African immigrants, Caribbean immigrants still outnumber this population such that "collectively, Caribbean countries account for the majority of the Black immigrant population in the United States. In 2009, one in every two Black immigrants was from a

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<sup>78</sup> Jamaica and Haiti still lead in highest *numbers* of Black immigrants in the U.S.

<sup>79</sup> Kristen McCabe, "African Immigrants in the United States"

<sup>80</sup> Ibid.

Caribbean-origin country.”<sup>81</sup> African immigrants are the largest recipients of diversity visas and often seek asylum because of corruption and civil violence in their home countries. “Half of the increase in immigration from Africa between the 1980s and the 1990s”<sup>82</sup> is due to the Diversity Visa program. The Diversity Visa program accounts for 50,000 immigrant visas annually from countries with low rates of immigration.

Black immigrants from Africa also benefit disproportionately relative to Afro-Caribbeans from Temporary Protective Status (TPS) and the Violence Against Women Act (VAWA). TPS is granted when a country is temporarily unable to handle the return of its nationals due to one of the following conditions: ongoing armed conflict, an environmental disaster or other extraordinary temporary conditions. Immigrants from only one Caribbean country, Haiti, are granted TPS. Six African countries, Guinea, Liberia, Sierra Leone (Ebola), Sudan, South Sudan, and Somalia have been granted TPS.

VAWA “allow[s] immigrant victims of domestic violence to obtain immigration relief independent of their abusive spouse or parent through a process called “self-petitioning.”<sup>83</sup> Immigrants experiencing abuse can self-petition for lawful permanent resident status, approved application provides”<sup>84</sup> work authorization, deferred action, and an approved immigrant petition” for lawful permanent residency. This law was updated

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<sup>81</sup> Ibid.

<sup>82</sup> Mary Mederios Kent, “Immigration and America’s Black Population,” *Population Reference Bureau* 62 (2007): 6 <http://www.prb.org/pdf07/62.4immigration.pdf>

<sup>83</sup> American Immigration Council, “Fact Sheet: Violence Against Women Act (VAWA) Provides Protections for Immigrant Women and Victims of Crime,” May 7, 2012, <https://www.americanimmigrationcouncil.org/research/violence-against-women-act-vawa-provides-protections-immigrant-women-and-victims-crime>

<sup>84</sup> Anja Parish, “Gender- Based Violence Against Women: Both Cause for Migration and Risk Along the Journey,” Migration Policy Institute, September 7, 2017



to include provisions for "victims of sexual assault or trafficking (T Visas)"<sup>85</sup> and elder abuse (2005). U Visas, "assist in investigation or prosecution of a criminal offense."<sup>86</sup> The U Visa is a temporary visa and can be renewed only if one needs to stay in the U.S. to help with a criminal investigation. I assert that the "strong Black woman" stereotype affects Black immigrant women's access to VAWA. "It undermines claims that she was acting because of battered women's syndrome."<sup>87</sup> Fear of interacting with the criminal justice system because they are both "black and other" heighten the vulnerability of Black undocumented immigrant women in particular. Their economic dependence is compounded by lack of access to public assistance and lack of work authorization.

### *Becoming Black American*

U.S. racial tensions and economic flows impact how Black immigrants are incorporated into African American communities as well as the larger mainstream society. Discussing the racialization of Black immigrants requires particular attention to the tension between race as an identity marker and ethnicity as a marker. As I stated earlier, many immigrants experience race in a new way upon arrival on U.S. shores. They are coming from territories where they are the majority and know they are Black, but they do not experience U.S. racism, associated anti-Blackness, or social construction as "negro or nigger". There are three cases in particular that demonstrate how immigrant status, along with obtaining a degree, or job, fails to protect Black immigrants from American racism. Their Blackness and immigrant status are constitutive, and I highlight this point

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<sup>85</sup> Ibid., American Immigration Council, "Fact Sheet"

<sup>86</sup> Ibid., American Immigration Council, "Fact Sheet"

<sup>87</sup> Cecelia M. Espinoza. "No Relief for the Weary: VAWA Relief Denied for Battered Immigrants Lost in the Intersections," *Marquette Law Review* 83 (1999): 208

in examining experiences with state and/or nativist violence by Amaduo Diallo, Abner Louima, and Seraw Mulugeta in the 1990s.

Black immigrants are often unprepared for American racism. Journalist Eugene Robinson echoes this point: “Anyone who might believe that immigrant status confers any degree of protection from the most corrosive residues of history should remember what happened to Abner Louima and Amaduo Diallo, two Black men, at the hands of New York City police.”<sup>88</sup> Amaduo Diallo was a twenty-three-year-old African immigrant from Guinea who was gunned down by four plainclothes NYPD on February 23, 1999. He supposedly fit the description of a Black male rapist. Abner Louima is a Haitian immigrant who was beaten and sodomized by officers from the New York City Police Department. Seraw Mulugeta, was an Ethiopian immigrant who was attacked with a baseball bat by white skinheads in Portland, Oregon on November 13, 1998. All of these incidents exemplify the constitutive relationship between “Blackness” and “immigrant” identities. In fact, it was because of their otherness as both Black and immigrant that these men were attacked or mistaken for criminals. The coverage of each of these cases include racial and anti-immigrant slurs, such as, “go back to your own country”, “fucking niggers,” “Fucking Haitians,” and “Fucking Haitians, dumb fucking Haitians.” The following statement by Rosemaries Saint Elie emphasizes the deep entanglement of Blackness and immigration, “We are really stigmatized, more so I think than African Americans. We have three strikes against us: we’re black, we’re Haitians and some people think we are just an ignorant and poor community.”<sup>89</sup> I highlight this quote

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<sup>88</sup> Violet Showers Johnson. “When Blackness Stings: African and Afro-Caribbean Immigrants, Race, and Racism in Late Twentieth-Century America.” *Journal of American Ethnic History*. 36 (2016):32

<sup>89</sup> *Ibid.*, 40

because it underscores how intersectional identities manifest in Black communities. Black immigrants, both documented and undocumented are entering a racial terrain where race, particularly Blackness *and* anti-immigrant biases, are always at play.

U.S. notions of Blackness cannot be separated from U.S. immigration policies.<sup>90</sup> A prime example supporting this statement is how Blacks were affected by the 1965 immigration reform, which continues to shape America's immigration policy. The Hart-Celler Act was crafted and implemented during a fraught historical moment marked by, protests, uprisings, assassinations of public figures, as well as the passing of the Civil Rights Act of 1964. President Lyndon B. Johnson passed the 1965 immigration reform act to demonstrate his administration's commitment to ending all forms of discrimination. This reform lifted the national origin quota system, as well as, the discrimination imposed against Asian immigration by the "Asiatic bar zone."<sup>91</sup> However, the 1965 immigration reform act was not intended to increase immigration from Africa, Asia, or Southern and Eastern Europe. This is exemplified in the following quote, "there will not be, comparatively, many Asians, or Africans entering the country... since the people of Africa and Asia have very few relatives here, comparatively few could immigrate from these countries because they have no family ties to the U.S."<sup>92</sup> Familial ties were expected to be limited for African and Asian immigrants due to discriminatory country-of-origin quotas, such as the 1917 immigration reform that created the Asiatic bar zone.<sup>93</sup>

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<sup>90</sup> Christina M. Greer "Hart-Celler and the Effects on African American and Immigrant Incorporation." *Fordham University* (2015): 4-11

<sup>91</sup> K. R. Johnson, "Race, the Immigration Laws, and Domestic Race Relations," 1121

<sup>92</sup> Steven Shulman, "The Economic Well-Being of Black Americans: The Overarching Influence of U.S. Immigration Policies," in *The Impact of Immigration on African Americans*, Steven Shulman (New Brunswick: Transaction, 2004) 16

<sup>93</sup> *Ibid.*,

African immigration was limited after the end of slavery. The U.S. did not want an influx of Black peoples entering the U.S. This restriction in African immigrants demonstrates that immigration officials did not seek to encourage free Black migration.

During the twentieth century there was a mixture of responses to immigration within Black communities. Many of the arguments surrounding the impact of immigration on African Americans emphasize economic competition and assume that Blacks compete with immigrants – a false dichotomy that fails to recognize Black immigrants. Economists have argued that African Americans experience more opportunity when immigration is restricted.<sup>94</sup>

Africans have remained relatively invisible within immigration conversations. Arthur (2000) seeks to provide background and demographics on African immigrants to the US. Between 1981-1995, immigrant flows to the U.S. doubled because of African immigration. Arthur states, “largely invisible and unknown to many Americans, these Africans are becoming some of the continent’s most educated and dynamic people.”<sup>95</sup> I highlight this quote because it demonstrates one of Arthur’s goals in this text – providing context on how African immigrants are carving out niches through global migration. He also examines how African immigrants are negotiating race and ethnicity in their host countries. African immigrants are cautious of the racial stratification produced by the Black/ white divide in the U.S.

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<sup>94</sup> Tatishe Nteta, “United We Stand? African Americans, Self-Interest, and Immigration Reform,” *American Politics Research* 41(2013): 148-149.

<sup>95</sup> John A. Arthur, (2000). *Invisible Sojourners : African Immigrant Diaspora in the United States* (Westport, Connecticut: Greenwood Publishing Group), Preface.

Of particular interest to me is Arthur's recounting of immigration laws, from 1965-1990. He pays special attention to how these laws affect African immigrant flow to the states. He makes note of the fact that these laws were not created for African immigrants but they did shape and influence the flow of their migration. It was the reconfiguration and redefining of refugees and the penalty imposed on employers that put pressure on congress to grant legal status to undocumented immigrants in the U.S. Lastly, he speaks to the idea of choosing not to participate in politics, choosing to be invisible. This choice to not participate is due to feeling powerless.<sup>96</sup> Here I see the choice, but this choice is still wrapped up in the anti-Blackness and racism that causes their communities to be ignored. So, is it really a choice? In other words, "the black body encompass [es] a condition of being whose existence must be justified."<sup>97</sup>

Jane Junn argues that racial identity is shaped by immigration policy, particularly selection bias. Between 1862-1965 Asian Americans were "unduly taxed, restricted in movement, deprived of property ownership and voting enfranchisement, denied habeas corpus, driven from their homes by anti-Chinese riots, and imprisoned in internment camps by their own government."<sup>98</sup> However, Asian Americans benefited from the elimination of national origin quotas and "long-standing policies of Asian exclusion," lifted by the 1965 immigration act.<sup>99</sup> Their status shifted from "coolie" to "model minority." This shift in status is a part of how "U.S. immigration policy creates a

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<sup>96</sup> Ibid, 144

<sup>97</sup> Singh P, Cartwright L, and Visperas C. "African Kaposi's Sarcoma in the Light of Global Aids: Antiracism and Viral Visibility." *Journal of Bioethical Inquiry* 11 (2014): 471

<sup>98</sup> Jane Junn, "From Coolie to Model Minority: U.S. Immigration Policy and the Construction of Racial Identity." *Du Bois Review: Social Science Research on Race* 4 (2007): 336

<sup>99</sup> Ibid., 335

selection bias"<sup>100</sup> that privileges Asian immigrants with educational resource. Junn's evidence stems from the high percentage of Asian immigrants who reach lawful permanent resident status and the fact that most H1-b (employer-sponsored) visas go to "high-skilled" immigrants from Asian countries, particularly India and China. The state has used immigration policies to create a class and education bias when it comes to the selection of immigrants.<sup>101</sup> Immigration streams and attitudes about immigrants are in turn deeply racialized. For example, the Pew Research Center finds that immigrants from Asia and Europe are viewed much more favorably by the U.S. public than those from Latin America, Africa, or the Middle East (Pew 2015).

The racial climate in the last decade also reflects the need for an intersectional analysis. With our first Black president a more pronounced, overt racism and xenophobia emerged in the U.S. Many headlines declared Obama's presidency the most racially divided presidency in history. Under the Obama administration we saw an increase in deportations as well as Executive-backed programs to aid immigrants, such as the Deferred Action for Childhood Arrivals program (DACA).

In 2016, 334,000 people were deported from the U.S. Under the Obama administration 3 million immigrants were deported, a significant increase from the previous administration. Between 2001-2008, under the Bush administration there were 2 million deportations. It is important to note that in 2015, criminal convictions made up a minority of deportations. Of the 330, 000 immigrant removals, 42% had criminal convictions, 58% were not convicted. "From 2001 to 2015, a majority (60%) of

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<sup>100</sup> Ibid., 356

<sup>101</sup> Ibid.,368

immigrants deported have not been convicted of a crime”<sup>102</sup>. Deportations are increasing even though we are consistently receiving reports that tell us crime is decreasing. This returns me to an earlier point - immigration policy is directly shaped by race and socioeconomics.

## **Conclusion**

This chapter described the ways in which Black experiences and Black racial formation in the United States are tied to immigration policy. It is within this context of increased migration from all over the world, a history of anti-Black racism, and policies based on criminalization and removal that immigrant rights organizations seek to advocate for immigrant rights. I argue that Black immigrants face secondary marginalization in this advocacy environment.

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<sup>102</sup> Gustavo Lopez and Kristen Bialik, “Key findings about U.S. immigrants” Pew Research Center, May 3, 2017 <http://www.pewresearch.org/fact-tank/2017/05/03/key-findings-about-u-s-immigrants/>

## Chapter 3. Black Immigrant Invisibility

### Introduction

In 1997, Mary Helen Washington challenged the inclusivity of the American Studies Association (ASA) by asking the following question, “What happens to American Studies if you put African American Studies at the Center?” By posing this question, Washington critiqued ASA’s institutional structure—white supremacy - which she argues is “a systemic and central feature of the American experience.”<sup>103</sup> Similarly, I advance a critique of the institutional structures of immigrant advocacy organizations by asking “what happens to immigrant advocacy when Black immigrants are placed at the center?” I rely upon Cathy Cohen’s theory of secondary marginalization to address the following questions: How do national immigrant advocacy organizations address race? Where do staff and leaders devote their energy? How do Black immigrants fit within the organization’s mission? I address these questions through analysis of the National Immigration Law Center. I build my argument by conceptualizing immigration and advocacy within a larger and historical context of Blackness and belonging within the U.S. In what follows, I describe the landscape of current immigrant advocacy, the theoretical framing for this chapter, and I build my case through interviews with immigrant advocates. Overall, this chapter interrogates and demonstrates the ways Black immigrants are included and excluded within the U.S. and immigrant advocacy efforts.

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<sup>103</sup> Mary Helen Washington ““Disturbing the Peace: What happens to American Studies if you put African American Studies at the Center?” *American Quarterly* 50 (October 1998)



Within our current political climate nonprofits constitute connectors between marginalized communities and their elected officials<sup>104</sup>. Immigrant advocacy organizations such as the National Immigration Law Center (NILC), CASA de Maryland, United We DREAM, and a host of other organizations rely on grassroots mobilization and legal strategies connect and enhance communication between immigrant communities and larger political forces. As advocacy organizations they harness the political power of their constituents and allies to garner political representation for the communities that they serve. Collectively these institutions serve immigrant populations but differ in mission, constituents, and tactics.

*Where are Black Immigrants in the U.S. Immigrant Landscape?*

The current immigrant advocacy landscape focuses on non-Black Latinx immigrants. This emphasis on the non-Black Latinx population is largely due to two major factors. The first is that individuals born in Mexico and Central America make-up the largest groups of foreign-born people in the U.S. (However, it is also important to keep in mind that the majority of non-Black Latinx in the U.S. are native born). According to the Migration Policy Institute, in 2015, Mexicans and Central Americans accounted for 37 percent of all U.S. immigrants,<sup>105</sup> with Mexican immigrants making-up the majority of this group. Immigration policies reflect this attention to Latin America as well. There is an emphasis on increasing border control, which directly affects Mexican and Central American immigrants. However, an increase in border control as well as a

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<sup>104</sup> Janelle Wong, *Democracy's Promise: Immigrants & American Civic Institutions* (Ann Arbor: University of Michigan Press, 2006), 89

<sup>105</sup> Kate Brick, A.E. Challinor, and March R. Rosenblum, "Mexican and Central American immigrants in the United States," Migration Policy Institute, June 2011, 4  
<https://www.migrationpolicy.org/research/mexican-and-central-american-immigrants-united-states>

focus on criminal migrants also disproportionately affects Black immigrants, including many Haitians. Due to Hurricane Matthew there are currently 7,000 plus Haitian migrants in border cities who have hopes of entering the U.S.<sup>106</sup> More generally speaking, Black and Asian immigrants are growing number of the US immigrant population. In 2014 Asian Americans and Pacific Islanders (APIOs) were the “fastest growing population in the United States.”<sup>107</sup> In 2013, 3.8 million Black immigrants resided in the US and they comprised 8.7% of US Black population.<sup>108</sup>

Second, media coverage disproportionately situates members of the non-Black Latinx community, specifically those from Mexico and Central America, in discussions and analysis of immigration. For instance, Oscar Santa Ana’s *Brown Tide Rising* examines propositions 187, 209, and 227 and the metaphors surrounding them, such as immigration “dangerous waters” and an “invasion”<sup>109</sup>. These metaphors were used to depict Latino immigrants as inhumane and a threat to the nation. Leo Chavez also contends that media narratives have depicted Latinos as a threat to the nation. In his text, *The Latino Threat: Constructing Immigrants, Citizens, and the Nation*, Chavez provides examples of how the media has constructed Mexican immigrants as taking over the

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<sup>106</sup> Daniel Gonzalez, “Thousands of Haitian Migrants Amassed at U.S.-Mexico Border Unsure What’s Next,” *The Arizona Republic*, Accessed October 2017, <http://www.azcentral.com/story/news/politics/border-issues/2016/12/13/thousands-haitian-migrants-amassed-us-mexico-border-unsure-whats-next/94688238/>

<sup>107</sup> Karthick Ramakrishnan and Farah Z. Ahmad, “State of Asian Americans and Pacific Islanders Series: A Multifaceted Portrait of a Growing Population,” *Center for American Progress*, September 2014, <https://cdn.americanprogress.org/wp-content/uploads/2014/04/AAPISReport-comp.pdf>

<sup>108</sup> Monica Anderson “6 Key findings about black immigration to the U.S.,” Pew Research Center, April 9, 2015, <http://www.pewresearch.org/fact-tank/2015/04/09/6-key-findings-about-black-immigration/>

<sup>109</sup> Otto Santa Ana, *Brown Tide Rising: Metaphors of Latinos in Contemporary American Public Discourse* (Austin: University of Texas Press, 2002), 73-76

southwest and referenced the high fertility rates of Mexican people. The larger immigrant narrative in the US and within immigrant advocacy has been Latinx-focused, with the exception of Afro-Latinx migrants.<sup>110</sup>

*Applying existing theories to conceptualize Black immigrant invisibility*

Crenshaw discusses three different aspects of intersectionality that aid in the illumination of how reformist politics reinforce the subordination of another group.<sup>111</sup> These aspects of intersectionality are structural, political, and representational. Structural intersectionality pays particular attention to contexts that transform the barriers faced by women of color who are victims of violence. In other words, structural intersectionality is concerned with the material consequences that women of color face due to overlapping structures of subordination. Political intersectionality questions how political and discursive practices often erase women of color when it comes to race and gender.<sup>112</sup> Lastly, Crenshaw uses representational intersectionality to explore images of women of color in popular culture. Crenshaw argues that women of color are imagined and categorized in the social imaginary according to specific race and gender stereotypes.<sup>113</sup> Structural, political, and representational subordination are the three components of intersectionality that Crenshaw builds her argument for a black feminist perspective that centers violence against women of color. This perspective helps us to understand how specific social understandings of both race and immigration status shape the experiences, including interactions with the legal system, of Black immigrants.

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<sup>110</sup> Leo R. Chavez *The Latino Threat: Constructing Immigrants, Citizens, and the Nation*. 2<sup>nd</sup> ed. (Stanford: Stanford University Press, 2013).

<sup>111</sup> Kimberle Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color," *Stanford Law Review* 43 (1991): 1241-1299

<sup>112</sup> *Ibid.*, 1251-1252

<sup>113</sup> *Ibid.*, 1283

Crenshaw's use of intersectionality as a methodology demonstrates how women of color, specifically Black women, are simultaneously voiceless and present in discourse on violence against women. That is, they are visible in terms of their race, but invisible and overlooked in legal advocacy. In my research, I argue that Black immigrants occupy a similar position. Black immigrants are affected by similar immigration policies as their non-Black immigrant counterparts yet their narratives remain secondary or unacknowledged. Respondents in this study have observed a lack of outrage or public protest when Immigration and Customs Enforcement (ICE) arrest and remove Black immigrants. This is exemplified by the following statement from a Black Panamanian respondent:

The fact that, but I think another is the fact that there hasn't been a large outpour of support and outrage when these things are happening for our community. I think that's one of the biggest examples of anti-Blackness. You'll rally and have all these like public things for other immigrants but when it happens to our people, like we're like, oh, they were deported last week. How sad. Yeah, but where were you when it was happening. Like right, cuz you weren't connected to the people so you don't know that it's... Okay. Got it.

This respondent is speaking directly to the consequences of lacking representation as a Black immigrant. Here we see how theories of intersectionality and Blackness can help us understand that Black immigrants are hyper-visible in terms of their Blackness, but their identity as immigrants is often seen as inconsequential. They are occupying the position of the unthought-of, which Saidiya Hartman argues is attributed to the Black

body.<sup>114</sup> The Black body is “seen” but constantly having to prove itself as worthy of social value and justify its existence.

Immigration policy and reform in America is embedded in U.S. racial politics. The movement and restriction of immigrants of color can be traced through a larger history of race based policies and laws, such as the Chinese Exclusion Act, guest laborer programs, the 1965 immigration act, and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). When I asked respondents about the importance of race in their immigration work, they emphatically testified to its significance, but I noticed that there was little specificity or focus on Blackness unless prompted. Most discussed the racialization and othering of non-Black Latinx immigrants.

I contend that the larger history of race and immigration in the U.S. is directly tied to Blackness and belonging. Chinese Exclusion and guest laborer programs did not develop in a vacuum but within the larger racial context of the U.S. and this context continues to determine the parameters of American identity and belonging. Mae Ngai furthers this point by detailing how immigration law were used to draw lines of exclusion and inclusion based on race. Molina also emphasizes that race is a relational and mutual constitutive that occurs across different groups. She introduces the concept of racial scripts in order to “highlight the ways in which the lives of racialized groups are linked across time and space and thereby affect one another, even when they do not directly cross paths.”<sup>115</sup> The histories and experiences of different racialized groups inform each other. Devon Carbado also analyzes how America’s racial context determines how

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<sup>114</sup> Saidiya V. Hartman and Frank B. Wilderson , III, “ The Position of the Unthought,” *Qui Parle* 13 (2003):185

<sup>115</sup> Natalia Molina, *How Race Is Made in America: Immigration, Citizenship, and the Historical Power of Racial Scripts* (Berkeley: University of California Press, 2014), 38.

different immigrant groups are incorporated into America.<sup>116</sup> According to Carbado, even before Black immigrants receive formal citizenship, they are already Black Americans. A failure to acknowledge how Blackness and anti-Blackness have shaped immigration policies has resulted in the exclusion of Black immigrants from larger discussions of immigrant advocacy. This section specifically addresses Blackness and how it functions for Black immigrants, as well as how Blackness shapes the processes of exclusion, inclusion, and incorporation within the United States.

I use Blackness as an entryway for understanding immigrant advocacy within the larger context of white supremacy and how it makes the experiences of Black immigrants similar and different than their non-Black Latinx and Asian immigrant counterparts. Ultimately, I question what happens to immigrant advocacy when Black immigrants are placed at the center. By invoking the term and concept of “Blackness” in this context, I am drawing upon race and ethnic studies scholars who have delineated how Blackness restricts and constricts the mobility of Black peoples. Attention to Blackness pushes us beyond just a focus on race to one that highlights the differential racialization of immigrants. Specifically, such an approach illustrates how the intersections of race, class, and gender affect different immigrant groups. I draw upon Blackness in particular, and not simply the concept of “race,” in order to examine the logics of white supremacy that affect Black immigrants.

White supremacy in the U.S. has often created political and social incentives that encourage non-Black immigrants, including but not limited to Whites, Latinx, or Asians, to distance themselves from Blackness. Blackness within the U.S. racial hierarchy has

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<sup>116</sup> Devon W. Carbado “Racial Naturalization.” *American Quarterly* 57 (2005): 11-12

meant a lack of citizenship and access to resources. Throughout U.S. history, racial projects have reinforced Blackness as the antithesis to advancement, mobility, and citizenship. In *The Condemnation of Blackness: Race, Crime, and the Making of Modern America*, Khalil Gibran Muhammad views the state as central to the racialization of crime through institutions that have allowed for the mobility of some groups (i.e. white immigrants) and the immobility for others (Black people). For instance, the abolishment of slavery ushered in a “negro problem,” which resulted in laws and policies that criminalized Black peoples for minor offenses while allowing for the influx and mobility of white immigrants to become full citizens. The state also creates rhetoric and policy around the threat posed by Black people to modern society. Ange-Marie Hancock, in her book, *The Politics of Disgust: The Public Identity of the Welfare Queen*, argues that “the social constructions of groups are continually reinforced by existing government policy.”<sup>117</sup> Hancock uses the image of the welfare queen to demonstrate how policy and public identity work to reinforce the public image of the welfare queen as a poor single African American woman. The conjuring of this image produces legislation such as welfare reform, which has functioned to surveil and reprimand working-class and poor Black women.

Race in the U.S. has been contested and reshaped by immigration, yet Blackness remains a salient feature of the exclusionary and inclusionary practices of the nation-state. Political Scientist Linda Bosniak argues for the importance of examining exclusion not only through physical borders, but also internal boundaries. In her text, *Citizen Alien*, Bosniak argues that citizenship in a liberal-democratic society is marked by

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<sup>117</sup> Ange-Marie Hancock, *The Politics of Disgust: The Public Identity of the Welfare Queen* (New York: New York University Press, 2004), 6

contradictions that restrict access to equal citizenship. She contends that citizenship is not simply about being legal/illegal, but that notions of citizenship rely on the creation of internal domestic boundaries that produce marginalization. The current immigrant rights movement is focused on legality, documentation, and pathway to citizenship. For instance, the DREAM ACT in its various iterations has centered a pathway to citizenship for DACA recipients and TPS holders. While important, these demands fail to address the internal borders and unique barriers to full belonging that Black immigrants face. I build upon Bosniak's framework to address to how Black immigrants experience exclusionary practices within the U.S.

In addition to capitalizing on Bosniak's insights, I also find Devon Carbado's (2005) work on *Racial Naturalization* critical here. Similar to Bosniak, Carbado also emphasizes the inclusionary and exclusionary practices of the nation-state, which he expresses in the following excerpt, "one can be included in the category of people with American citizenship and be excluded from the category of people perceived to have an American identity" (638). In the essay, *Racial Naturalization*, Carbado is focused on the function of naturalization as it relates to conceptions of citizenship and race. He articulates a key distinction between "American citizenship" and "American identity" by mapping the process of naturalization. According to Carbado, one becomes American through the experience of racism, which he refers as the process of racial naturalization. American citizenship is the formal legal process, but American identity "means the capacity as a racial subject to be a representative for the nation."<sup>118</sup> Naturalization is the conferring of formal citizenship to the U.S.-born, but *racial naturalization* is how citizenship is experienced, and it emphasizes the reinforcement of and even relies upon

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<sup>118</sup> Carbado, "Racial Naturalization," 637.



existing racial hierarchies. Racial subjects occupy specific racial positions and are assigned roles that they must fill in order to be legible subjects of the nation-state. According to Carbado, when Black immigrants enter the U.S. they are crossing physical borders as well as the “borders of the color line.”<sup>119</sup> He emphasizes the racial context of the U.S. because “neither the gaining of formal citizenship to Blacks nor the eradication of Jim Crow has eliminated the constitutive role racism plays in naturalizing Black people into their subordinate identities.”<sup>120</sup>

I am particularly interested in Carbado’s definition of naturalization and how citizenship is experienced through inclusivity and exclusivity. He states, “naturalization [is] not simply a formal process that produces American citizenship but also as a social process that produces American racial identities” (637). He delinks American citizenship and American identity in order to demonstrate the possibility of having one without the other. Thus, while citizenship may be uniform in a formal sense, American identity varies and is determined and made intelligible through the U.S. racial hierarch.

I contend that Black undocumented immigrants are denied formal citizenship but achieve American identity through their immediate occupation of the “Black” category in the U.S. racial hierarchy. Both undocumented Black immigrants and former enslaved African peoples are denied equality within the paradigm of American citizenship and American identity set forth by Devon Carbado. Black skin or being legible as Black, marks Black subjects as “othered,” or already outside of citizenship- because they are not White. Yet Black people are also seen as unquestionably part of the U.S. racial state. In light of this entrenched racial dynamic, the focus of the current movement for immigrant

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<sup>119</sup> Ibid., 636

<sup>120</sup> Ibid., 645

rights on the creation of a pathway to citizenship - without considering how “racial naturalization” operates within the U.S. - further marginalizes the issues Black immigrants face due to the intersections of immigration and Blackness.

Finally, although scholars such as Claire Jean Kim argue that Asian Americans are perpetual outsiders and that they are “civically ostracized” vis-a-vis Blacks in the U.S. I argue that they do not account for the fact that Black immigrants do not enjoy assumed U.S. citizenship and unquestioned “Americaness.” Their Blackness, or Black skin, is a marker of otherness and their immigrant status places them both outside and inside of presumed Americaness, making their positions as full members of the polity less secure.

“Intersectionality” as a concept emphasizes the need to understand the complexities of identities that are constitutive of one another. According to this concept, identities linked to race, gender, and class cannot be isolated from one another and pulled apart, but instead work in tandem. Black immigrants sit at the intersection of race and immigration. Their access to resources is shaped by both legal citizenship and race, particularly Blackness. Blackness has political, structural, and representational consequences for Black immigrants. They are discursively and politically erased from immigration. Political mobilization around immigration focuses most often on non-Black Latinx subjects. Carl Lipscombe, Deputy Director for the Black Alliance for Just Immigration and Alan Pelaez a queer undocumented afro-indigenous graduate student solidifies this point in the following statements:

Historically, when we’ve talked about Latino immigration, the context has been the “valedictorian” and the “Dreamer,” the business owner and the immigrant worker—the person who is here to work. But the narrative about black immigrants has been

similar black people in general: That Black immigrants are charity cases who are here to take advantage of whatever resources there are in the U.S.<sup>121</sup> – Carl Lipscombe

We're not asking for DACA or for the Dream Act because most black undocumented folks who were eligible to apply in the first place, didn't apply because there was no nobody on the ground organizing for the undocumented black community.<sup>122</sup>– Alan Pelaez

Taken together these statements demonstrate the saliency of Blackness to immigration and advocacy. Blackness affects the narrative and policies being put forth. Due to the racial context of the United States, Black immigrants do not escape the material consequences of Blackness either. Although Black immigrants have higher educational attainment than their Asian and non-Black Latinx counterparts, they still experience higher poverty rates, and like other Blacks, are disproportionately subject to mass incarceration and high unemployment rates. Black immigrants are also five times more likely to be deported for a criminal offense than their immigrant counterparts.<sup>123</sup>

Teresa A. Miller advances an argument about the parallels between mass incarceration and immigration in her article, “The Impact of Mass Incarceration on Immigration Policy”.<sup>124</sup> In this treatment, she further demonstrates the centrality of Blackness to immigration reform and policy. Miller argues that the exclusion, detention,

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<sup>121</sup> Hawa Allan, “An Unforgiving Legal System Welcomes Black Immigrants to America,” *LONGREADS*, July 10, 2017, <https://longreads.com/2017/07/10/an-unforgiving-legal-system-welcomes-black-immigrants-to-america/>

<sup>122</sup> Walter Thompson-Hernandez, “Find Out Why Nobody Is Talking About The Group That Gets Deported At The Highest Rate, Mitú, September 21, 2017, <https://wearemitu.com/things-that-matter/meet-the-organizer-who-is-unapologetically-black-indigenous-and-queer/>

<sup>123</sup> Juliana Morgan-Trostle, Kexin Zheng and Carl Lipscombe, “The State of Black Immigrants Part II: Black Immigrants in the Mass Criminalization System” (2014), 19

<sup>124</sup> Teresa A. Miller, “The Impact if Mass Incarceration On Immigration Policy,” in *Invisible Punishment: The Collateral Consequences of Mass Imprisonment*, ed. Meda Chesney-Lind and Marc Mauer (New York: New Press, 2002), 214

and deportation of Haitian immigrants arriving during the 1980s was tied to their Blackness. She argues that “Haitians were detained en masse largely as a result of the same factors that contributed to the mass incarceration of poor, uneducated, mostly African American communities in the ‘war on drugs.’”<sup>125</sup> The fate of Haitian immigrants was directly tied to the hegemonic construction and narrative surrounding African American people as undesirable, disposable, and therefore needing to be contained.<sup>126</sup> This response to Haitian immigrants was in contrast to their mostly non-Black Cuban counterparts, who were placed in structural readjustment programs. Miller also states that “Haitian detention set the precedent” for immigration policy in the 1980s and 1990s. The response to the influx of Central Americans and the introduction of Proposition 187, a 1994 California ballot proposition seeking to restrict benefits to undocumented immigrants<sup>127</sup>, were predicated on long-held views of Haitian immigrants - stereotyped as carriers of AIDS and as poor migrants who were draining state assets. Haitians were seldom recognized by national immigrant advocacy groups, but nonetheless provided an important model for immigrant exclusion.

The aforementioned examples of Black immigrants as lacking political representation and subject to racialized oppression are critical for understanding the place of Black immigrants in the current debate over immigrant rights and advocacy organizations’ claims to represent all immigrants.

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<sup>125</sup> Teresa A. Miller, “The Impact if Mass Incarceration On Immigration Policy,” 226

<sup>126</sup> Ibid., 231-232

<sup>127</sup> Ibid., 224-226

## **Advocacy and Black Invisibility**

The National Immigration Law Center (NILC)<sup>128</sup> located in Washington, D.C., is a leading immigrant advocacy organization. NILC was founded in 1979 as a response to the influx of immigrants and refugees fleeing the outbreaks of civil war in Central America<sup>129</sup>. NILC is a legal advocacy organization that uses litigation, policy, and communication to achieve economic justice for all low-income immigrants. The organization makes explicit reference to class by “defending and advancing the rights and opportunities of low income immigrants and refugees.”<sup>130</sup> This is achieved through a three-part strategy— impact litigation, policy analysis, and communications. Impact litigation entails fighting for immigrant rights through lawsuits. Their policy and advocacy department educate decision-makers on the issues facing low-income immigrants, such as access to education and worker’s rights. The litigation department uses lawsuits to protect the constitutional rights of all Americans. Lastly, their strategic communications strategy emphasizes “effective messaging and communication strategies”.<sup>131</sup>

It is useful to spend some time analyzing the work of the National Immigration Law Center because of their “mainstream” status in the immigrant advocacy world. The organization has significantly shaped how immigrant advocacy has been engaged on the federal and local level, particularly around policy. NILC has collaborated and devoted resources to labor rights and support for policies such as Deferred Action for Childhood

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<sup>128</sup> The National Immigration Law Center is (NILC) formerly known as the National Center for Immigrant Rights.

<sup>129</sup> The above attacks refer to the Central American Civil War particularly in El Salvador, Nicaragua, and Guatemala

<sup>130</sup> Marielena Hincapie, interview by author, Washington D.C., April 11, 2017

<sup>131</sup> Ibid.

Arrivals (DACA). They have been at the forefront of immigrant justice for more than two decades. As leaders within the movement for immigrant rights they have shaped our current understanding of what it means to do immigrant advocacy. Advocacy organizations such as the National Immigration Law Center (NILC) use their resources to connect and enhance communication between immigrant communities and larger political forces. As an advocacy organization, NILC harnesses the political power of their constituents to garner political representation for the communities they serve.

The goal of this chapter is to critically examine how organizations like NILC achieve their mission of serving “all low-income immigrants.” Echoing my earlier questions: What are the ways they fall short of their goals? How does this contribute to further marginalization of Black immigrants?

An intersectional approach is critical for the examination of how the needs of Black immigrants are being addressed within immigrant advocacy organizations. I use Cathy Cohen’s and Dara Strolovitch’s concept of secondary marginalization— which builds upon intersectionality— to analyze political representation. Secondary marginalization contends that disadvantaged groups experience marginalization along multiple axes. Even within a marginalized group such as undocumented immigrants, inequality may be reproduced along gender, racial, and ethnic lines. Organizations that represent disadvantaged groups can exacerbate and/or reproduce secondary marginalization by promoting laws and policies that focus on singular issues, particularly those of an advantaged subgroup. Cohen’s and Strolovitch’s work anchors this chapter due to my own emphasis on the ways in which multiple marginalization takes place within advocacy groups. I use their conceptual frameworks to analyze how Black

immigrants are marginalized, particularly due to their disadvantaged racial position within the immigrant rights movement, by focusing on the National Immigration Law Center (NILC). I am concerned with how the intersections of Blackness and immigration produce negative political consequences for Black immigrants.

Black immigrant advocates<sup>132</sup> in this study all see their Blackness as a salient identity that affects how they navigate immigrant spaces as well the larger anti-immigrant, white supremacist U.S. structure. The murder of Baltimore resident Freddie Grey in 2015 and its impact on Black immigrants underscores the intersections of Blackness and citizenship. Gray's murder and the response from immigrant networks demonstrated a lack of understanding among mainstream immigrant rights organizations in terms of how undocumented and Black immigrants were "experiencing the attack on Blackness." A running theme through my interviews with Black immigrant advocates was the idea of discomfort in immigrant spaces and the invisibility they experienced in those spaces. Jonathan, an undocumented Black immigrant advocate, and others, discussed being involved in immigrant spaces but not being seen as immigrants. Blacks were assumed to be native-born African Americans, as opposed to Black immigrants facing the same deportation and anti-immigrant regimes as non-Black immigrants. Another respondent spoke to this discomfort when she stated, "I had been trying to reach out to organizations to see how I can get involved, what can I do and I always got this either rejection of you don't really fit and I don't wanta say, I can't say specifically people told me I didn't fit because of how I looked but it felt that way. It felt, because it felt because of my race." The invisibility in those spaces also contributes to invisibility in

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<sup>132</sup> Respondents who self-identify as Black and are immigrant advocates

the larger immigrant narrative resulting in a lack of resources for the Black immigrant community.

*Consequences of marginalization & current framing*

A key theme that emerged from my research is that of Black immigrant invisibility. I contend that this is a part of a larger history of fractured citizenship, denial of full of Americanness, and political representation to Black Americans. I pay particular attention to how immigrant advocates render Black immigrants invisible in their policy work because it has implications for access to resources and has often resulted in the further criminalization of Black immigrants. Historically immigration policy and reform has been a racialized process.<sup>133</sup> The racial project of U.S. immigration policy has determined who enters or is refused entry to the nation-state, who is labeled “illegal,” and who is considered criminal. Many historical immigration policies were created to control or deny entry to specific groups or territories.

One such program is the Diversity Visa program which, “allow[ed] entry to immigrants from countries with low rates of immigration to the US.” This program was created in response to the 1965 immigration act, which is credited with increasing immigrants of color in the U.S. The implementation of the diversity visa program’s legacy of racism is presented in the fact that it was advertised to a select few people who were white, primarily from Ireland, Canada, and Great Britain.<sup>134</sup> Additionally, those who were financially stable or had sponsors were the primary beneficiaries of this

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<sup>133</sup> Here, I use Omi and Winant’s definition of racial project—efforts to reorganize and redistribute resources along racial lines from their seminal text *Racial Formation in the United States: From the 1960s to the 1990s*. Michael Omi and Howard Winant. *Racial Formation in the United States*, 3rd ed. (New York: Routledge/Taylor & Francis Group) 2015.

<sup>134</sup> David Scott Fitzgerald and David Cook-Martin, “How Legacies of Racism Persist in U.S. Immigration Policy,” Scholars Strategy Network, June 20, 2014, <https://scholars.org/brief/how-legacies-racism-persist-us-immigration-policy>



program. The intentions of U.S. immigration bills have historically been to increase European entry into the US. This legacy of racism in U.S. immigration policy is seen in how major legislation related to immigration passed in 1996 (Immigration Reform, Welfare Reform, Anti-Terrorism)<sup>135</sup> have had lasting repercussions for Black immigrants, especially in terms of how immigration and criminality are further wedded together.

Additionally, current laws and policies that prioritize a path to citizenship also demonstrate how overlooking Blackness contributes to continued marginalization of Black immigrants. On June 23, 2016, the Supreme Court of the United States (SCOTUS) issued a 4-4 decision on the expansion of Deferred Action for Childhood Arrivals (DACA) and the implementation of Deferred Action for Parents of Americans (DAPA), blocking the expansion of President Obama's executive actions on immigration. This administrative measure would have granted temporary protection from deportation as well as temporary work permits to Dreamers and their parents. The SCOTUS' decision meant that millions of parents of citizen children and legal permanent residents would have temporary relief.

Immigration measures such as DACA focus on documentation and protection from deportation, with little attention paid to other exclusionary practices within the nation-state. The result is a failure by advocates of DACA to recognize the realities and needs of the 6 million immigrants who would *not* benefit from DACA expansion. Policies like DACA/DAPA and other immigration measures that are preoccupied with protection from deportation or creating a path to formal citizenship do not take an

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<sup>135</sup> The 1996 laws refer to the Anti-Terrorism and Effective Death Penalty Act of 1996 (AEDPA), Personality Responsibility and Work Opportunity Reconciliation Act (PRWORA), and Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA)

intersectional approach. The failure to create immigration policies that are intersectional results in immigrant populations being unable to access a path to citizenship or to qualify for social services because of state-driven inequalities in criminalization, for instance. A focus on race and class would address the links between mass incarceration, deportation, and detention.

Immigrants of color are not a monolithic group and are often vulnerable to and negatively impacted by the convergence of racism, unemployment, incarceration, and sexism. Emphasizing a path to citizenship often overlooks how the lives of citizens, not just noncitizens, are structured by racial, ethnic, and class exclusion. On July 7th, a Black immigration advocate, Aly Wane proclaimed, “citizenship will not save us.” Here he is referring to the fact that formal citizenship or a pathway to citizenship is inadequate for addressing other barriers to belonging and racial equality. These are humbling and sobering words within our current anti-immigrant and anti-Black climate. The push for citizenship fails to address the growing and diverse immigrant communities in terms of police brutality, economic polarization, and racial segregation.

### *Messaging*

Advocates in this study called attention to rhetoric and messaging as key components in addressing or incorporating the needs of Black immigrants. One of the key phrases that came up consistently was “the good/bad” immigrant dichotomy. For example, comprehensive immigration reform has centered on granting a pathway to citizenship for skilled laborers who will contribute economically to the nation. Being a good worker and contributing in a productive way makes one a “good” immigrant worthy of citizenship. The current narrative strategy distinguishes “good” immigrants who make

no mistakes, enter the country through the proper means, are present but remains invisible by being good workers, and do not put a strain on the national economy from “bad” immigrants who do not embody these characteristics. This emphasis on legality and “good” subjects does not address larger structural inequities within the nation and many of the precarities and vulnerabilities facing Black immigrants.

This “good/bad” binary is a response to messaging that has painted immigrants, particularly Mexican immigrants as criminals. The Trump administration has relied on this dichotomy and employed the language of “bad” immigrants. Trump is on record as saying “Mexico has dispatched the dregs of its society- ‘rapists’ and ‘criminals’- to the united states.” He has referred to Mexican immigrants as “bad hombres.” Trump has also used this good/bad immigrant narrative in reference to Somali immigrants in Minneapolis, framing them as terrorists.<sup>136</sup> This good/bad immigrant framing has interpellated Mexican, Somali, and other immigrants of color as criminal and terrorists and is rooted in a longer trajectory of immigration policy. The Obama administration also used the rhetorical device of the “good/bad” immigrant dichotomy by prioritizing “criminals” for deportation. Keeping out “undesirables” grows out of the laws and policies already in place.

NILC’s senior policy attorney pushes against the good/bad binary in the following statement, “no causal effect relationship between the presence of immigrants or increased numbers of immigrants in your communities and, and the rates of certain types of crimes. So let’s not make that false correlation. And then in the process, let’s not throw

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<sup>136</sup> Ben Jacobs and Alan Yuhas, “Somali Migrants are ‘Disaster’ for Minnesota, says Donald Trump,” *The Guardian*, November 7, 2016, <https://www.theguardian.com/us-news/2016/nov/06/donald-trump-minnesota-somali-migrants-isis>

other populations under the bus when in the same breath, we're also trying to make the point that they are, that they're targeted for a reason."<sup>137</sup> Her emphasis on not throwing other groups under the bus is key in developing stronger strategies and coalition. Additionally, Avidah also shows the interconnection between criminalization, communication, and policy. A false accusation of criminality can create a narrative that reinforces a group as violent, which can result in restrictive and harmful policies, that lead to over policing of communities. Another aspect of messaging is about reaching the communities that are directly impacted. This highlighted in the following statement by their Executive Director, "the communications piece is a newer strategy for us in the last seven years and I think it just comes from a place of realizing, I think, for me as a lawyer, realizing the limitations of the law that, you know, you can have a great case that gets decided in the courts but frankly, the community doesn't know about it, then that's not gonna get enforced, not gonna get implemented, vice versa."<sup>138</sup> I agree that communications is a key factor. However, people are not going to tune into rhetoric or news where they are not reflected. One way NILC addresses marginality is by having plaintiffs/ immigrants shape their own media narrative.

The current emphasis on good immigrants and a pathway to citizenship further marginalizes Black immigrants. The focus on creating a path to citizenship in the movement does not account for the ways Blackness falls outside of U.S. notions of the "good immigrant." The Black subject is an anomaly and conundrum to U.S. inclusion. The formation of citizenship in the U.S. has been formulated by the distancing of Blackness as a way of performing "good" citizenship. In many ways Black peoples are

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<sup>137</sup> Avidah Moussavian, interview by author, March 22, 2017

<sup>138</sup> Marielena Hincapie, interview by author, April 11, 2017

the antithesis to citizenship, which means a focus on citizenship cannot address the needs of Black immigrants. In fact, it results in further marginalization and the invisibility of Black peoples in the immigrant rights movement.

#### *Access to Resources*

Immigration also has consequences for access to resources and political representation. Kamal Essaheb, the policy and advocacy director for NILC and formerly undocumented Arab immigrant from Morocco recalls the difficulties of accessing organizational resources as an undocumented immigrant racialized as Black,

none of these places were in my neighborhood. I mean, I know there were a lot of, I was younger but I knew there were a lot of like places where Latinos went to get help, like \_\_\_ of organizations and \_\_\_, couldn't really tell. I just know places with like Spanish on the wall. You know, on the awning. And I'm not quite sure I ever, I don't know that I ever, it never quite felt like those were places for me. You know, I mean, I just, yeah. I'm an immigrant. I'm undocumented. I needed help. I know people like me who were Ecuadorean go to that place for that help but I never felt like maybe I should walk in, too. I never really thought about that too much but anyway.<sup>139</sup>

Access to organizational resources and support depends on geography and, in the U.S. residential segregation along racial lines make access to organizational resources uneven.

The consequences of the invisibility experienced by Black immigrants are best articulated by the following statement from an UndocuBlack member, "Black immigrants are excluded from when they develop policies but also the most impacted when they develop policies." She cites the DREAM Act and Deferred Action for Childhood Arrivals (DACA) as policies that largely excludes Black undocumented people. Less than 2% of

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<sup>139</sup> Kamal Essaheb, Interview by author, Washington, D.C., March 24, 2017

Black immigrants receive DACA.<sup>140</sup> She called attention to how the requirements for DACA made many Black immigrant ineligible because it did not take into account factors such as criminality and age, which play out differently within Black immigrant communities. She states the following on the DACA,

When it came to the discussion of the requirements for those, a lot of it depended on age, a lot of it depended on your, whether or not you had been involved in any kind of, quote/unquote, criminal activity, or had any charges. It depended on finances. Whether you could stand yourself up as a good immigrant. And while we had a number of people that were able to apply for Deferred Action for Childhood Arrivals many people were excluded because, one, they were not a childhood arrival. They arrived at 17 to go to college. Or they were an adult that they were the parent of children that are residing in the United States, whether they were American born or not. Financially, that was \$465 to come up with when you're not supposed to be working. So what support system do these people have to be able to access that?<sup>141</sup>

Again, the invisibility of Black immigrants to policy makers, the general public, and within immigrant advocacy continues to marginalize Black immigrants by not taking into account how Black peoples in the U.S. are racialized and constantly interface with the criminal justice system or face racialized barriers to the economic means needed to pay application fees.

#### *The National Immigration Law Center*

In what follows, I explore how NILC runs its organization by paying particular attention to their staffing, messaging, communications, and the policies they have supported. I also examine NILC's approach to racial justice, which often addresses immigrant rights and racial justice in parallel and not intersectionally, constitutively.

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<sup>140</sup> Morgan-Trostle, Zheng, and Lipscombe, *State of Black Immigrants report*

<sup>141</sup> UndocuBlack Leader (Anonymous interviewee), Skype interview by author, April 15, 2017

NILC was founded as a project of the Legal Aid Foundation of Los Angeles to serve low-income populations, which resulted in the organization being designated as national legal services “super center.” As a “super center” they provided technical assistance on eligibility for welfare, housing, and public assistance. In 1994, their D.C. office was opened in order to “focus on federal legislation affecting low-income immigrants.” Their core values are to uphold immigrant rights, pursue social justice, and value diversity. As a national immigration non-profit, NILCs main objective is to “reduce the vulnerability of low-income immigrants to immigration and workplace enforcement actions on account of their race, class, gender” (8). Their strengths as an organization are bridge building and educating. They see themselves as bridge-builders because they connect individuals and groups to resources. Educationally, NILC informs advocates, legislators, and immigrants on complex and legal policy matters through trainings, providing legal counsel, and strategic advice.

NILC has offices in Los Angeles and Washington, D.C.—two locations with varying Black populations.<sup>142</sup> The Black immigrant population in Los Angeles is predominately African. Washington, D.C. is comprised of a larger Black population, which includes, African, Afro-Caribbean, and Afro-Latinx. The African immigrant

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<sup>142</sup> According to the Pew Research Center, “African immigrants to the U.S. are more likely to settle in the South (39%) or the Northeast (25%), than in the Midwest (18%) or West (17%), while the largest numbers of African immigrants are found in Texas, New York, California, Maryland, New Jersey, Massachusetts and Virginia.” Monica Anderson, “African Immigrant Population in the U.S. Steadily Climbs,” Pew Research Center, February 14, 2017 <http://www.pewresearch.org/fact-tank/2017/02/14/african-immigrant-population-in-u-s-steadily-climbs/>

populations in both Los Angeles and the Washington, D.C. metro are over 100,000.<sup>143</sup> The D.C. metropolitan area and Los Angeles account for two of the four major destinations for African immigrants.<sup>144</sup> According to the 2017 census data, Black people account for 47.7% of Washington, D.C.'s population.<sup>145</sup> The D.C. metropolitan area also has the second largest concentration of Sub-Saharan Africans, 2.8% (167,000). However, Los Angeles, only accounts for 0.3% (45,000) of Sub-Saharan African immigrants.<sup>146</sup> Three percent of the nation's Black Caribbean immigrant population resides in the D.C. metro area.<sup>147</sup> Their African immigrant counterparts are more dispersed throughout the country, with "40 % in the South, 25% in the Northeast, 19 % in the Midwest and 16% in the West."<sup>148</sup> These demographics demonstrate that Black Caribbean immigrants have a higher concentration on the East coast, while California has a larger African immigrant population. Among metropolitan areas, Washington, D.C.,-Arlington-Alexandria, Virginia have the third largest Black immigrant population. D.C. is also home to the largest Ethiopian community. NILC-DC still focuses on non-Black Latinx in a place with

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<sup>143</sup> Pamela Constable, "African immigrant population doubling each decade; D.C. area among group's top destinations," *The Washington Post*, October 1, 2014, [https://www.washingtonpost.com/local/african-immigrant-population-doubling-each-decade-washington-area-among-highest/2014/10/01/efbada70-498f-11e4-891d-713f052086a0\\_story.html?utm\\_term=.9175aa5892e7](https://www.washingtonpost.com/local/african-immigrant-population-doubling-each-decade-washington-area-among-highest/2014/10/01/efbada70-498f-11e4-891d-713f052086a0_story.html?utm_term=.9175aa5892e7)

<sup>144</sup> Ibid.

<sup>145</sup> United States Census Bureau, <https://www.census.gov/quickfacts/DC>

<sup>146</sup> Jie Zong and Jeanne Batalova, "Sub-Saharan African Immigrants in the United States," Migration Policy Institute, May 3, 2017, <https://www.migrationpolicy.org/article/sub-saharan-african-immigrants-united-states>

<sup>147</sup> Kevin J.A. Thomas, "A Demographic Profile of Black Caribbean Immigrants In The United States," Migration Policy Institute, April 2012, 8

<sup>148</sup> Monica Anderson, Chapter 1: Statistical Portrait of the U.S. Black Immigrant Population, Pew Research Center, April 9, 2015, <http://www.pewsocialtrends.org/2015/04/09/chapter-1-statistical-portrait-of-the-u-s-black-immigrant-population/>



a large Black population. I would attribute this to the invisibility of Black immigrants within the larger narrative of immigration, particularly, Black immigrants.

In comparison, UndocuBlack Network's (UBN) vision for an organization that advocates for (un)documented Black immigrants was started in the Washington, D.C., Maryland, Virginia region, with a national focus. UBN's location is informed by their core leadership, which originally consists of members who lived in Baltimore or met at Howard University in Washington, D.C. Both their national and regional leadership also represent a variety of locations, which include New York, North Carolina, amongst others. As Black peoples and immigrants themselves, they are inherently poised to see Black peoples as mobile and not entrenched.

The National Immigration Law Center has a racial justice initiative, but it is framed around native-born Blacks. Within the organization, Black immigrants are still an anomaly. Racial justice and immigrant rights are considered in parallel, but do not intersect. Advocates from NILC, as well as their five-year plan (2014-2019), mark Hurricane Katrina (2005) as the point at which they began to adopt a racial justice lens. Their model still separates immigrants from racial justice. During Hurricane Katrina, for example,

Immigrants and refugees in the Gulf Coast became afraid of seeking federal and charitable disaster assistance and were subjected to harassment and questioning about immigration status by authorities. Furthermore, day laborers and guest workers were recruited for clean-up, while primarily African-American residents were barred from even entering their neighborhoods, setting the scene for increased racial tensions in the New Orleans area.<sup>149</sup>

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<sup>149</sup> NILC, "National Immigration Law Center 2014-2019 Strategic Plan," 13

The above excerpt highlights the racial tension that occurs between African Americans and non-Black immigrants, which reinforces the notion that “race” is a native born Black American issue and immigration is a non-Black Latinx issue.

Another major component or area of improvement in their strategic plan was addressing diversity within their staffing. NILC is housed in two offices Los Angeles and Washington, D.C., with fieldworkers in other localities throughout the nation. A majority of their staff are immigrants, children of immigrants, or formerly undocumented. They have been intentional in hiring individuals who represent the populations they would like to reach. Executive Director, Marielena Hincapie discusses the importance of staffing and who leads immigrant advocacy organizations by acknowledging that only a few, “a handful or less, are leading orgs, national orgs that are focused on immigrant advocacy.” She states, “Leadership matters because it does make a very big difference when you’re an immigrant and you’ve experienced the impact of immigration laws and policies yourself and on your family vs. reading about it or, or even experiencing it as a community member or as an ally, right.”<sup>150</sup> More importantly, while her vision of NILC is multiethnic and multiracial, in truth, they do not have anyone on staff who is both Black and an immigrant. Staffing adds to a diversity of bodies in that organization, but even more important is that Black staff would allow the organization to understand the needs and priorities of other Black immigrants’ voices most affected by an increasingly punitive immigration system.

Jonathan Jayes-Green, co-founder and national coordinator for UndocuBlack spoke these words, “As Black immigrant communities we are very aware of how

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<sup>150</sup> Marielena Hincapie, interview by author, Washington, D.C., April 11, 2017

agencies, organizations and institutions have sought to equate Blackness and poverty with criminality, and used that to mantle to deny our communities our human rights.”<sup>151</sup> He gave this response when offering commentary on the potential elimination of Temporary Protective Status (TPS) for Haitians under the Trump administration. TPS is granted when a country is temporarily unable to handle the return of its nationals due to one of the following conditions: ongoing armed conflict, an environmental disaster or other extraordinary temporary condition.<sup>152</sup> Haitian immigrants were granted TPS in 2010.

In the above excerpt, Jonathan also points out the effects of institutional racism on Black Americans. His emphasis on poverty and criminality speak to how Black immigrants are often discussed within immigrant spaces as well as within the nation-state. I am drawing on Christina Greer’s use of the term “Black Americans” -- a shared experience of racism among African Americans, Afro-Latinos, Caribbean and African immigrants. Although, they differ in national origin, experience with anti-Black racism in the U.S. quickly forges these disparate groups into “Black Americans.” The “Black immigrant” is deprived of easy free associations. Black immigrants are unmarked and indivisible from African Americans whose lineage extends to the country’s inception.”<sup>153</sup> Yes, Black immigrants are invisible as immigrants but their experiences are compounded by race. Although not easily recognizable as foreign born, they are incorporated into a racialized group that mainly holds legal citizenship, although members of the group do not reap the benefits of that status. As Black Americans, Black immigrants are equated

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<sup>151</sup> Jonathan Jayes-Green, interview by Author, College Park, MD, March 17, 2017.

<sup>152</sup> Out of the 11 designated countries, 1 Caribbean country, Haiti, is granted status. In addition, 6 African countries-- Guinea, Liberia, Sierra Leone (Ebola), as well as Sudan, South Sudan, and Somalia. TPS for Guinea, Liberia, and Sierra Leone terminated on May 21, 2017. See: <https://www.uscis.gov/news/alerts/uscis-reminds-beneficiaries-temporary-protected-status-guinea-liberia-and-sierra-leone-may-21-termination>

<sup>153</sup> Hawa Allan, “An unforgiving Legal System Welcomes Black Immigrants to America”

with poverty and criminality.<sup>154</sup> This racialization has repercussions for today's Black immigrants, especially when it comes to the crimmigration system—the intersection of criminality and immigration.<sup>155</sup> Creating laws that make exceptions but don't change the structures or systems that law upholds, result in a failure to decrease the criminalization of the undocumented. "The DREAM Act proposals do not address the fundamental problem of immigration law: that it creates a permanently rightless status"<sup>156</sup>

## Conclusion

The twenty-first century has ushered in intense conversations about immigration in the United States. Yet the voices and experiences of Black immigrants remain absent from these debates—being Black, immigrant, and undocumented remains unfathomable. Sitting at the intersections of Blackness and citizenship would not be incomprehensible if we acknowledge that Blackness is foundational to the construction of immigration and citizenship in the U.S. The U.S. has sought to restrict the mobility of Black subjects since its inception. Immigration law scholar Lolita K. Buckner Inniss argues that anti-Blackness and anti-immigrant bias dates back to the 1803 immigration bill. The linking of anti-Blackness and anti-immigrant bias opens an interrogation of how white supremacy is the larger structure that shapes our immigration system.

The invisibility experienced by Black immigrants is an extension of anti-Blackness because it reaffirms the Black body, or subject, as unthought-of. Black immigrants are the least visible of America's ethnic groups. Sociologist Roy Bryce-

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<sup>154</sup> Gibran, *Condemnation of Blackness*, 1

<sup>155</sup> Armenta, Amada. *Protect, Serve, and Deport: The Rise of Policing As Immigration Enforcement* (Oakland, California: University of California Press, 2017); Morgan-Trostle, Zheng and Lipscombe, *The State of Black Immigrants*

<sup>156</sup> Lisa Marie Cacho, *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected*. Nation of Newcomers (New York: New York University Press, 2012) 6

Laporte states that “on the national level they suffer double invisibility in fact—as blacks and as black foreigners”.<sup>157</sup> This double invisibility is due to the fact that they are shown the same disregard as native born blacks. Additionally, an unclear definition of who is considered Black and/or foreigner led to limited statistics on this population.

Another intriguing point within this essay is the consequence of (in)visibility for Afro-Latin immigrants. Many Black immigrants are instructed by persons (white and black) at home and in the United States to emphasize their distinctiveness – to become visible- by use of exotic apparel, display of heavy accents, and avoidance of contact and association with black Americans. Ira de Reid observed that Black Latin immigrants would speak Spanish louder in public places than his lighter friends to warn the rest of the world that he is a Latin American.<sup>158</sup> Playing up ones foreignness can make them distinct from native Black people, but this distinctiveness also calls attention. With attention comes negative consequences and the reinforcing of negative stereotypes about Latin Americans and Black Americans. He also reiterates the point that Black immigrants are “perceived and governed by rules created for blacks”.<sup>159</sup>

In the essay, “Racial Passing,” Randall Kennedy defines passing as “white Negro”, the individual whose physical appearances allows him to present himself as “white” but “whose” “black” lineage (typically only a very partial lineage) makes him a Negro according to dominant racial rules. He makes a distinction between passing and someone who is merely mistaken for white. Passing is deception which results in the passer adopting roles/ identities they would normally be barred from. The person

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<sup>157</sup> Roy Bryce-Laporte, "Black Immigrants: The Experience of Invisibility and Inequality," *Journal of Black Studies* 3 (1972), 31

<sup>158</sup> Ira Reid, *The Negro Immigrant*, 101

<sup>159</sup> *Ibid.*, 47

mistaken for white knows they are passing for white. This is key because passing requires deception, a knowledge that you know you are passing. Kennedy recounts the narratives of Ellen Craft, Walter White, and other Black people to demonstrate the motives behind passing. Ellen Craft passed as a white man in order to obtain freedom and Walter White passed in order to investigate lynching in the south. Then there were folks who passed in order to experience what it was like to eat in exclusive restaurants. Lastly, Kennedy also recounts the various responses to lynching. Slave owners saw it as betrayal, while many Black peoples saw it as resistance and survival even if they would not do it themselves.

This essay on racial passing provides an interesting point of contemplation for those studying invisibility and Black immigrants, particularly in terms of Kennedy's distinction between passing for white and being mistaken for white. Black immigrants find themselves, like those who "passed" in the past, distancing from African Americans? At the same time, unlike those who pass for White, they are not attempting to pass for White, but to be seen as "not stereotypically Black." They emphasize their foreignness as a shield against anti-Black racism. I contend that Black immigrants are not trying to pass, because they are not concealing their Africaness or Caribbeaness or even Blackness. This also speaks to how Black immigrants navigate the larger issue of anti-Black racism, pervasive across the Diaspora. They distance from perceived notions of Blackness, but their "foreignness" is not recognized and may yield other, significant, vulnerabilities.

## **Chapter 4: Resistance, Removal, and Black Immigrants**

If Black women were free, it would mean that everyone else would have to be free since our freedom would necessitate the destruction of all the systems of oppression.

-Combahee River Collective

In the previous chapter, I discuss how immigrant advocacy organizations, such as the National Immigration Law Center, circumvent discourses regarding Black social justice, resulting in the persistent marginalization of Black migrants within movements for immigration reform and advocacy. I interrogate the marginalization of Black immigrants within the immigrant rights movement, and to some extent, within racial justice organizations such as the Movement for Black Lives.

In this chapter, I explore how Black immigrants are responding to narratives emanating from the media and advocacy organizations that render Black and non-Latino immigrant experiences invisible, and a Black racial justice agenda that places them on the margins of representation by neglecting the vulnerabilities of and unique issues faced by immigrant members of the community. Through a detailed study of the UndocuBlack Network (UBN) and Black Alliance for Just Immigration (BAJI), I argue that Black immigrants are responding to marginalization by organizing, making policy recommendations, and coalition building. The following questions are addressed: How have UndocuBlack and BAJI confronted secondary marginalization? What are their most prominent challenges and successes? How is their activism contributing to how advocacy organizations are rethinking and reevaluating their advocacy strategies for undocumented Black immigrants in the United States? Lastly, what strategies are they using to respond

to the Trump Administration's dismissive or even hostile policies directed toward immigrants from predominantly Black countries.?

I pay particular attention to #BlackLivesMatter, the Movement for Black Lives (M4BL) and the DREAMer movement, as contemporary social formations that have sought to address (un)documentation and racial inequality in our present political moment. The DREAMer movement is especially interesting, because this social and political formation, driven by young people who arrived in the U.S. as children of undocumented parents, has been effective at securing some protections for undocumented people. The DREAMer movement has succeeded in obtaining some of its political goals, despite the fact that most of the participants are ineligible to vote. Political representation is a critical part of the DREAMer movement, but I argue that not all DREAMers are represented equally. Black DREAMers, for instance, are not part of the dominant narrative. Exploring political representation of Black immigrants is especially critical in a political climate in which the 45<sup>th</sup> president of the United States, Donald Trump, can publicly refer to sending countries such as Haiti, El Salvador, and African nations as “shitholes” - with little consequence.<sup>160</sup> Trump's commentary, the contemporary coverage of Deferred Action for Childhood Arrivals (DACA), and the DREAMer movement highlight the need for a more complex assessment of racial justice and immigrant advocacy organizing that explores what it means to be positioned at the intersections of Blackness and immigration. Underscoring the importance of studying racial justice and immigrant rights movements together, Black DREAMer, UBN member,

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<sup>160</sup> Josh Dawsey, “Trump derides protections for immigrants from ‘shithole’ countries,” *Washington Post*, January 12, 2017, [https://www.washingtonpost.com/politics/trump-attacks-protections-for-immigrants-from-shithole-countries-in-oval-office-meeting/2018/01/11/bfc0725c-f711-11e7-91af-31ac729add94\\_story.html?utm\\_term=.253122c78ffb](https://www.washingtonpost.com/politics/trump-attacks-protections-for-immigrants-from-shithole-countries-in-oval-office-meeting/2018/01/11/bfc0725c-f711-11e7-91af-31ac729add94_story.html?utm_term=.253122c78ffb)



and organizer, Ainslya Charlton observed during a panel at the 69<sup>th</sup> annual Education Writers Association National Seminar: “It feels as though I’m on the margins of both.”<sup>161</sup> Here Charlton is referring to her position outside of the central policy demands of the immigrant rights and #BlackLivesMatter movements. Her comment is telling, although she was, or is, a participant and leader in both. This marginality speaks directly to the intersections of Blackness and immigration that often renders the experiences of Black immigrants on the borders of immigrant advocacy and racial justice organizing.

Charlton’s comment invokes the idea that Black immigrants may be seen as falling outside the definitions of “African American” and “immigrant.” Due to U.S. racialization, Black implies “African American” and therefore the Black foreigner (immigrant, undocumented immigrant) is unfathomable. Carbado describes this process as *racial naturalization*. The Black immigrant does not become “American” but a “Black American.” In Carbado’s reading, Blacks, regardless of place of origin, are seen as both unquestionably “American” *and* unquestionably of lower status than Whites, including White immigrants. Black immigrants’ citizenship is not questioned and their racial position is assumed. This process flattens any variation in place of birth among those of Black ancestry and renders lack of citizenship or lack of documentation outside of issues considered “Black issues.”

Other racialized groups who fall outside of the Black/white binary are often racialized as perpetual outsiders. Claire Jean Kim’s racial triangulation theory demonstrates this phenomenon. While Asian Americans, for instance, are valorized in terms of economic and social inclusion, they are denied assumed citizenship as

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<sup>161</sup> Maureen Keller, “Beyond the DREAMers: Undocumented Students Tell Complex Stories,” Education Writers Association, May 12, 2016 <https://www.ewa.org/blog-educated-reporter/beyond-dreamers-undocumented-students-tell-complex-stories>

“perpetual foreigners.” But Kim also does not account for Black immigrants. In Kim’s schema, to be Black is to benefit from assumed “non-foreign-ness” and to receive the associated advantages. Black immigrants remain marginalized or invisible, yet deeply affected by racial injustice, immigration reform, policy, and advocacy. Even though Black immigrants comprise 10% of the Black population and 9% of immigrant population, their experiences are not central to the American immigration story.<sup>162</sup>

### *Black Dreams, Black DREAMers*

In the above paragraph, I modify DREAMer with the racial identity marker, Black, to underscore the fact that Black immigrants often fall on the outside of who is considered a DREAMer. DREAMers are the 2.1 million undocumented youth living in the United States spurred to action by the protests of 2006.<sup>163</sup> The mobilization of what is known today as the DREAMer movement highlighted a vulnerable population seeking a pathway to citizenship. The movement took hold in the mid-2000s in direct response to negative anti-immigrant rhetoric and bills passed in the late 90s to early 2000s--operation gatekeeper<sup>164</sup>, 1996 reform laws<sup>165</sup>, and 9/11<sup>166</sup>. After 9/11, “the department of

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<sup>162</sup> Monica Anderson and Gustavo Lopez, “Key Facts About Black Immigrants in the U.S.,” Pew Research Center, January 24, 2018, <http://www.pewresearch.org/fact-tank/2018/01/24/key-facts-about-black-immigrants-in-the-u-s/>

<sup>163</sup> Pamela Reséndiz, “Starving for a Dream: Undocumented Youth Up the Ante,” in *Presente: Latin@ Immigrant Voices in the Struggle for Racial Justice*, ed. Cristina Tzintzún, Carlos Pérez De Alejo, and Arnulfo Manríquez, (Oakland, CA: AK Press, 2014), 51

<sup>164</sup> Operation Gatekeeper was launched on October 1, 1994 by the Immigration and Naturalization Service (INS), in order to reduce unauthorized crossing along U.S./ Mexico border. This program increased border patrol and the technology and infrastructure used by border patrol Matthew Jardine (1998) “Operation gatekeeper”, *Peace review*, 10:3, 329-335, DOI: 10.1080/10402659808426165

<sup>165</sup> The following laws, Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) also known as Welfare Reform; Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA); and the Antiterrorism and Effective Death Penalty Act (AEDPA), passed during the Clinton Administration

<sup>166</sup> A series of four coordinated attacks on the World Trade Center on September 11, 2001

homeland security introduced twelve different measures to strengthen borders and facilitate the detection and deportation of undocumented immigrants” (87).<sup>167</sup> It is in response to these measures that we begin to witness the burgeoning movement of undocumented youth, immigrant advocates and organizations pushing for the DREAM ACT.

The standard narrative associated with the DREAMers movement emphasizes “hardworking, extremely talented young people, mostly from Mexico and Central America, for whom Deferred Action for Childhood Arrivals (DACA) has been a game-changer.”<sup>168</sup> The narrative perpetuated by media and the larger immigrant rights movement is the image of deserving (non-Black) Latinx youth who arrived in the United States unaware of their unauthorized status because they were brought to the country as children by their parents. A typical DREAMer profile will feature a non-Black Latinx student who only becomes aware of their unauthorized status when they begin applying for college, realize they have no social security number to include on their application, and find that they are unable to receive federal scholarships or grants due to their status. Undocumented youth created organizations, drafted petitions, and raised awareness about their precarious status by staging hunger strikes and the sharing personal, often deeply moving, stories. They focus on the importance of education being accessible regardless of immigration status. They also successfully link immigration rights to human rights. For example, hunger strikes were a response to the “Latin@ community being attacked, belittled, intimidated, and deprived of its basic human rights.”<sup>169</sup>

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<sup>167</sup> Walter J. Nicholls and Tara Fiorito. “Dreamers Unbound : Immigrant Youth Mobilizing,” *New Labor Forum* 24 (2015): 87

<sup>168</sup> Maureen Keller, “Beyond the DREAMers”

<sup>169</sup> Tzintzún, Pérez De Alejo, and Manríquez, *Presente!*, 56

DREAMers are young people who meet the general criteria for the DREAM Act (Development, Relief, and Education for Alien Minors Act)<sup>170</sup>— a potential DACA recipient. The proposed DREAM Act is a bipartisan piece of legislation that would allow for undocumented youth who arrived as children to gain legal status.<sup>171</sup> The movement to pass a DREAM Act has been led by undocumented youth, between early teens to thirties. Much of the literature on immigrant youth frame the DREAMer as a constructed identity used to combat negative characterizations of undocumented immigrants. Two major narratives attached to DREAMers are the “no fault of their own” and “non-criminal.” The “no fault of their own” narrative promotes the idea that immigrant youth came to the United States because of their parents’ desires to migrate. Because they had no choice in the matter, the argument goes, the children of unauthorized immigrants should not be punished for their parents’ decision. The “non-criminal” narrative argues that DREAMers and immigrants as a whole commit less crime than their native-born counterparts. This script has been taken up by news media. *The Nation* calls attention to this narrative in the following statement, “Dreamers, as DACA recipients are called, are the Talented Tenth of brown immigrants. Not only are they the best and the brightest, they are also the most blameless in their transgression against America’s borders—or so goes the script written by the Obama administration and well-meaning immigration-rights advocates.”<sup>172</sup> However, the DREAMer has consistently been reimagined and reframed due to interactions with allies and opponents. Pedro de la Torre III and Roy Germano

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<sup>170</sup> Ibid., Maureen Keller, “Beyond the DREAMers”

<sup>171</sup> Michelangelo Landgrave and Alex Nowrasteh, “The DREAMer Incarceration Rate,” Immigration Research and Policy Brief, *CATO Institute*, August 30, 2017, <https://object.cato.org/sites/cato.org/files/pubs/pdf/immigration-research-policy-brief-3.pdf>

<sup>172</sup> Kai Wright, “Dividing Immigrants Into ‘Good’ and ‘Bad’ Is a Dangerous Trap: Daniel Ramirez’s Case Shows Exactly Why.” *The Nation*, March 3, 2015, <https://www.thenation.com/article/dreamers-in-a-culture-war/>

argue that the key purpose of the DREAMer narrative is to combat negative images and present complex biographies of (un)documented immigrants and their contributions to society. According to Germano and Pedro de la Torre, the narrative put forth addressed the factors that shape undocumented youth's lives such as illegality, age, and acculturation.<sup>173</sup>

The DREAM Act has been the centerpiece of the immigrant rights movement for the past decade. Though it has never passed, it is considered a more feasible political proposition than a full-overhaul of the existing immigration system (Comprehensive Immigration Reform). The DREAM Act allows undocumented youth access to higher education and a pathway to citizenship. The bill would allow for undocumented youth who entered the "United States before age sixteen, lived here for at least five years prior to the legislation's enactment, received a high school degree or GED, and are younger than thirty-five"<sup>174</sup> to receive temporary protected status, and eventually a pathway to citizenship. The prerequisite of a high school diploma or equivalent is built on the notion that undocumented youth are already a part of and assimilating to American culture. It counters the idea of immigrants as unproductive members of society who drain the US economy. Passing this act would allow for DREAMers to attain employment, specifically better paying jobs, which would mean higher revenues over time. The National Immigration Law Center sums this up in the following statement: "Contributions that DREAM Act students will make over their lifetimes, once college educated, would dwarf

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<sup>173</sup> Pedro De La Torre and Roy Germano. "Out of the Shadows: Dreamer Identity in the Immigrant Youth Movement," *Latino Studies* 12 (2014): 455

<sup>174</sup> William A. Schwab and G. David Gearhart. *Right to Dream: Immigration Reform and America's Future* (Fayetteville: University of Arkansas Press, 2013), 84

the small additional investment in their education beyond high school.”<sup>175</sup> This statement epitomizes the general framing that advocates use to garner support for the legislation. It covers opponents’ concerns about DREAMers being a drain on the economy, by underscoring the fact that higher earnings mean increased tax revenue, increases economic productivity, and spending power.<sup>176</sup> Proponents of the DREAM Act also emphasize the deserving-ness of DREAMers, by framing them as highly successful undocumented youth of good moral character.

A major critique of the DREAM Act is its emphasis on the “deserving” immigrant, which produced a good/bad immigrant narrative, a dichotomy produced by national immigration and social justice organizations advocating for immigrant youth. This narrative image of the DREAMer, as a “high-achieving undocumented youth who is unfairly prevented from gaining access to college and pursuing his or her dreams,”<sup>177</sup> has been powerful in large part because it stands in direct contrast to popular imagery that paints undocumented immigrants as criminals who seek to take advantage of the system.<sup>178</sup> It relies on the idea that undocumented youth were unaware of their parents unauthorized status, that they embody the American dream, and that they are above all good subjects. The political expediency of this narrative is clear. There are also political

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<sup>175</sup> National Immigration Law Center, “The DREAM Act: Correcting Myths and Misconceptions,” September 2010, <https://www.nilc.org/issues/immigration-reform-and-executive-actions/dreamact/dream-correcting-myths-misperceptions/>

<sup>176</sup> National Immigration Law Center, “Five Things You Should Know About the Dream Act,” December 2010, <https://www.nilc.org/issues/immigration-reform-and-executive-actions/dreamact/dream-justfacts-2010-11-23/>

<sup>177</sup> Fanny Lauby, “Leaving the ‘perfect DREAMer’ behind? Narratives and mobilization in immigration reform,” *Social Movement Studies* 15 (2016): 376

<sup>178</sup> Zenen Jaimes Perez, “Removing Barriers to Higher Education for Undocumented Students,” Center for American Progress, December 2014, <https://www.luminafoundation.org/files/resources/removing-barriers-for-undocumented-students.pdf>

costs, however. Unauthorized immigrants who arrived as adults, who possess low levels of education, or who appear anything other than the model student are a foil to this image. The “good immigrant/bad immigrant” dichotomy allows for vilification and exploitation of those that do not fit the DREAMer image. Although there have been critiques of this narrative strategy they are on the grounds of encouraging education, age, and class hierarchies - not racial hierarchies (Blackness). Lindsay Pérez Huber’s, “Constructing “Deservingness”: DREAMers and Central American Unaccompanied Children in the National Immigration Debate,” also critiques the construction of the DREAMer narrative. Huber pays particular attention to the dichotomy of who is deserving or undeserving of opportunities. She analyzes articles about DREAMers, which produced the following narratives, “DREAMers as Deserving Contributors,” “DREAMers Are Not a Threat,” “DREAMers as Economic Burdens,” and DREAMers as a Threat” (28). Pérez Huber concludes that we must interrogate this narrative of deservingness because it reinforces the idea that some humans are not worthy of a right to democratic ideals of the United States (30). However, Pedro de la Torre, Germano, and Pérez Huber’s analysis of DREAMers does not engage Blackness. Criminality is addressed in the discussion of illegality and the deporting of convicted “criminals,” but not how criminality is mapped onto Black bodies.

The political strategy and narrative focus, as well as the actual policies associated with DACA and the proposed DREAM ACT, demonstrate how the lack of a racial lens continues to marginalize Black immigrants who sit at the intersections of race immigration. The UndocuBlack Network (UBN) and Black Alliance for Just Immigration (BAJI) are two organizations that have centered Black immigrants within immigration

and racial justice advocacy. UBN specifically addresses what it means to be situated at the intersections of race and immigration as Black migrants and peoples residing in the United States. BAJI highlights the issues facing Black immigrants while also building relationships between native born Blacks (African Americans) and Black immigrants in order to tackle the system issues they face collectively and individually. These two organizations have simultaneously taken up an immigrant rights agenda *and* confronted anti-Black racism, particularly as part of the Movement for Black Lives.

### *Racial Justice*

The acquittal of George Zimmerman in the murder of Trayvon Martin demonstrated to the world that the United States devalued Black life. On the day of his acquittal activist and organizer Patrisse Cullors stated on Facebook “declaration: black bodies will no longer be sacrificed for the rest of the world’s enlightenment. I am done. I am so done. Trayvon, you are loved infinitely. #blacklivesmatter”<sup>179</sup> This statement and hashtag, posted on July 13, 2013, sparked what is now a national and global movement for Black lives. This movement has sought to be intersectional and inclusive which is exemplified by its co-founders-- Alicia Garza, Patrisse Cullors, and Opal Tometi. Taken together these three women represent queer, Black, immigrant and other marginalized communities.

#BlackLivesMatter models a liberation grounded in Black feminist critique, they have taken up the sentiments of the opening epigraph and made it their own. This movement views the liberation of Black peoples as a liberation that produces freedom for all. Black Lives Matter is a rallying cry and movement that affirms that Black lives are

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<sup>179</sup> Linda Steiner and Silvio Walsboard. *News of Baltimore: Race, Rage, and the City Routledge Research in Journalism* (New York: Routledge, Taylor & Francis Group, 2017), 123



important and valuable in a world that “systematically and intentionally target[s] [Black lives] for demise. It is an affirmation of Black folks’ humanity, our contributions to this society, and our resilience in the face of deadly oppression.”<sup>180</sup> As an intersectional movement they address and fight against state violence from multiple positionalities-- Black, queer, undocumented, trans, and gender non-conforming. Keeanga-Yamahatta Taylor articulates this point in the following statement, “Moreover, these organizers are ‘intersectional’ in their approach to organizing-- in other words, they start from the basic recognition that the oppression of African Americans is multidimensional and must be fought on different fronts.”<sup>181</sup> This is further echoed in the following statement by BLM co-founders, Alicia Garza and Patrisse Cullors, “If black people get free, everybody else gets free.”<sup>182</sup> In a TedTalk Interview with Mia Birdsong, Garza characterizes the way leadership is established in the organization as “effervescent bubbling up” instead of the more conventional trickle-down model. This harkens back to the heart of Black feminism put forth by the Combahee River Collective, the idea that those who are the most impacted should also be at the front of efforts for change.

From #blacklivesmatter grew the Movement for Black Lives (M4BL), a collective of fifty plus organizations across the country. This movement formed on July 25, 2015, when over 2,000 people gathered in Cleveland to expand the focus of collective action beyond police killings to all forms of state violence. It is a decentralized movement that has taken up the mantle of Black liberation, Black power, and updated models for liberation. In many ways, BLM, UBN, and BAJI, all speak back to, or build upon, the

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<sup>180</sup> Keeanga-Yamahatta Taylor, *From #blacklivesmatter to Black Liberation* (Chicago: Haymarket Books, 2016), 173

<sup>181</sup> Ibid.

<sup>182</sup> Alicia Garza, “A Herstory of the #BlackLivesMatter Movement,” *The Feminist Wire*, October 7, 2014, <http://www.thefeministwire.com/2014/10/blacklivesmatter-2/>

idea that Black liberation is key to addressing systemic inequality-- broader social, political, and economic contexts that hinder the advancement of all marginalized people in the US.

As a leader, Opal Tometi's contribution to the #blacklivesmatter movement and immigrant justice is her attention to an international context. She highlights the fact that anti-Blackness is a global phenomenon— it impacts Black life and freedom everywhere. With this in mind, Tometi saw her collaboration with Alicia Garza and Patrisse Cullors as an opportunity to mobilize in a way that did not reinforce or use the same apparatuses that oppress Black peoples. For instance, BLM advocates for safety beyond policing, which calls for access to good jobs, mental health, and being able to live in dignified communities. Advocating for resources instead of increased policing connects to BAJI and BLM's emphasis on "challeng[ing] root causes of economic justice."<sup>183</sup>

### *Black Alliance for Just Immigration*

Black Alliance for Just Immigration (BAJI) was founded in 2006 in response to repressive immigration bills in congress. In 2006 protests erupted around the country in response to a HR 4437 ("Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005"). The bill included enhanced penalties for unauthorized migrants entering the country and classified anyone who aided unauthorized immigrants as a felon. The bill passed in the House, but did not pass in the Senate. Rev. Kelvin Sauls, a South African immigrant and Rev. Phillip Lawson, a national civil rights leader, called to action

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<sup>183</sup> Laura Flanders, "Opal Tometi on Building a Transnational Movement for Black Lives," Truthout, August 5, 2015, <http://www.truth-out.org/news/item/32222-opal-tometi-on-building-a-transnational-movement-for-black-lives>

Black activists and faith leaders to oppose this bill and other anti-immigrant policies. But, it was not until Black Alliance for Just Immigration was established that one could identify a robust Black-led organization for immigrant rights. BAJI grew out of Pan African efforts to create dialogue across the African Diaspora. The organization's mission is to "give African American and Black immigrant communities the tools and the support they need to become leaders in the fight for racial, social and economic justice for all."<sup>184</sup> A major component of the organization's mission is to educate and break the myths Black peoples hold about each other and other immigrant groups of color.

BAJI spans both coasts with offices in NY, California, DC, and Georgia. Each office has focused on different activities and campaigns, including "ICE Free NYC," "Private Prison Disinvestment," "STOP URBAN SHIELD," and "Diaspora Dialogues." Members of BAJI-NYC, the organization's headquarters, focus their efforts on "public education, direct action, and the arts." Their membership consists of "highly skilled" veteran organizers, cultural workers, and tech-savvy Black immigrants and African Americans who are "committed to abolition." BAJI-NYC created initiatives such as Safety Beyond Policing, which campaigned against increases in NYPD officers and community policing. The organization advocated for funds that would increase youth employment, hiring of teachers and social workers, and funding for New York City Housing Authority (NYCHA). Private Prison Disinvestment and ICE Free NYC encouraged disinvestment from prisons and an end to collaboration between ICE and NYC government officials. BAJI-Oakland is the first organizing committee, they are a volunteered-based chapter. Their initiatives include, Stop Urban Shield, which sought to stop Alameda County's participation in Urban Shield Swat team training. They also

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<sup>184</sup> Black Alliance for Just Immigration, accessed February 2018, <http://baji.org/about/>

advanced immigrant rights at the county level, successfully freed Ghanaian asylum seeker Kwesi Amuzu, and removed “a racist African village” display at the Oakland zoo.

A salient component of BAJI’s organizing strategy and resistance is coalition-building between Black immigrant and African American peoples and organizations. This is achieved through connecting immigration with racism, anti-Blackness, and globalization. The exploration of this relationship leads to the opportunity to highlight the role of corporations and businesses in exploiting immigrant labor and simultaneously forcing Black workers into the informal economy. BAJI’s board and leadership is reflective of this mission to bridge and connect Black immigrant and African communities- representing Black people the American South, South Africa, Ghana, and other native born Black people.

An intersectional approach and attention to coalition-building is also present in BAJI’s partnerships and campaigns. Education and community building are key components of BAJI’s advocacy and organizing. They achieve this goal in multiple ways, but I highlight two specific programs, African Diaspora Dialogues and the Black Immigrant Network (BIN). The “Dialogues” program brings together African American and Black immigrants in order to bring about “transformative change and mutual understanding by hosting discussion forums on issues of race, culture and identity.”<sup>185</sup> BIN is a national network of organizations that serve Black immigrant and African American communities focused on supporting fair and just immigration.<sup>186</sup> There are currently 43 different member organizations that share strategies and resources affecting African descended communities. Their national Kinship Assembly, uses workshops to

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<sup>185</sup> Black Alliance for Just Immigration, accessed February 2, 2018, <http://baji.org/programs/>

<sup>186</sup> Black Immigrant Network, “A Unified Voice for Racial Justice & Immigrant Rights” accessed February 17, 2018, <https://www.blackimmigration.net/about>

educate and produce strategies for social media, communications, and campaigning. A key component of this coalitional model is represented in the idea of kinship. BIN highlights and refers to the network as a kinship, which demonstrates the saliency of connection and healing. The migration policies that the coalitions members support and promote are rooted in racial and gender equity. The model put forth by the Black Immigrant Network is centered on cooperation through the sharing of strategies and resources, and implementation through advocating for just policies. Policies that the group has supported include Diversity Visas, end to border wall, as well as interior and exterior enforcement. Although the group centers the identities of peoples of African descent, there is understanding that alliance can be form with any progressive organization committed to “racial equity, gender justice, economic justice and immigrant rights.”<sup>187</sup> This is reflected in their commitment to working with organizations that promote similar principles, such as Families for Freedom<sup>188</sup>, Immigrant Defense Project, Mass Jobs with Justice, and Queer Detainee Empowerment Project.<sup>189</sup> Families for Freedom is organization that guides families facing deportation by providing “support, education, and campaigns” by those directly affected by deportation. The Immigrant Defense Project fights and protects immigrants by addressing the intersections of criminal and immigration systems through impact litigation, advocacy, legal training and advice. Lastly, the Queer Detainee Empowerment Project focuses on providing support post detention to LGBTQIA\* community. QDEP assists with “securing structural,

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<sup>187</sup> Ibid.

<sup>188</sup> This organization was founded by and for fighting deportation

<sup>189</sup> Learn more about these organizations here, <http://familiesforfreedom.org/about>, <http://www.qdep.org/our-mission/>, <https://www.massjwj.net>

health/wellness, educational, legal, and emotional, support and services.”<sup>190</sup> Each of the aforementioned organizations are a part of the Black Immigrant Network member. These organizations also support policies such as TPS, ending solitary confinement and secure communities<sup>191</sup> in order to create opportunities and equality for the communities they represent. The issues that they support are across a range of interconnected issues and identities. For example, three of the organizations, Families for Freedom, the Queer Detainee Empowerment Project, and Mass Jobs with Justice together work to repeal deportation laws, fight for the rights of all workers, and support LGBTQIA\* lives outside of detention. All of these organization are using a multi-ethnic or cultural framework to meet the needs of their constituents. BAJI’s collaboration and leadership is critical to this coalition building. By working together, these organizations share strategies and resources to meet the needs of people who are connected across multiple and overlapping identities.

BAJI’s strength lies in the creation of this network and their ideological commitment to the concept of “kinship”— or emphasizing the collective and shared connections. BAJI is the organization that spearheads BIN, but BAJI’s leadership recognizes that in order to be inclusive and cover the issues of both advantaged and disadvantaged members of their coalition, they must be in sustained relationships with their coalition partners and foster open and shared communication about priorities and strategies. In sum, their commitment to centering Blackness in a multifaceted way,

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<sup>190</sup> Queer Detainee Empowerment Project (QDEP) accessed March 6, 2018, <http://www.qdep.org/our-mission/>

<sup>191</sup> Secure Communities is a deportation program implemented by ICE that uses partnerships with state and local enforcement agencies to enforce interior restrictions on immigrant populations, resulting in an increase in deportations.

recognizes distinctions in immigrant status, class, interactions with the criminal justice system, and sexual identity provides a complex narrative that produces strategies that tackle cross-cutting issues facing Black communities domestically and internationally.

To provide a more concrete example of this approach, one can examine BAJI's relationship with funders. BAJI frames its work as motivated by racial justice, including racial justice in immigration policy. It has received funding from organizations that broadly fund racial and economic justice initiatives, as well as those that fund immigrant advocacy programs. Between 2010 and 2015, BAJI received funding from five foundations or organizations. They received a three-year grant for general support in the amount of \$225,000 dollars from the Marguerite Casey Foundation. The Casey Foundation is a private, independent grant-making foundation focused on low-income families and organizations that mobilize around activism, education, and advocacy. Between 2012-2017, BAJI also received multiple grants of varying amounts (\$15-150K) from the Evelyn and Walter Hass, Jr. Fund. The Haas Fund has a broad social justice mission that "seeks to promote equal rights and opportunities, with emphasis on immigrant rights and gay and lesbian rights; improving the lives of low-income families and children, with a special focus on education; investing in the leadership of our nonprofit partners; and ensuring members of our community have access to and benefit from the Bay Area's extraordinary cultural and civic assets"<sup>192</sup> These grants were provided on the premise of improving leadership, community engagement, as well as continuing to connect African Americans and Black immigrants to the immigrant rights movement. The North Star Fund is another organization that funded but also collaborated

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<sup>192</sup> The Haas Leadership Initiatives, Accessed March 8, 2018, <https://www.tides.org/project/the-haas-leadership-initiatives/>

with BAJI. The North Star Fund is a network of donors who support grassroots leaders in New York City.<sup>193</sup> BAJI received grants from North Star in 2014 and 2015 for their “Safety Beyond Policing” and Haitian Families Reunification programs, respectively. The “Safety Beyond Policing” program sought to re-allocate state public funds. The following tweet from September 1, 2016, gets directly to the core of BAJI’s program, “Our Safety Beyond Policing campaign calls for public investment in jobs, education, training instead of police/enforcement #BlackWorkMatters.” With support from North Star, BAJI successfully mobilized communities to engage local public safety concerns, such as, “healthcare, transportation access and public housing”.<sup>194</sup> The Haitian Families Reunification Program calls for an increase in grants to rebuild Haiti, a pathway to citizenship for Haitian Temporary Protected Status (“TPS”)<sup>195</sup> holders, and the granting of humanitarian parole. Humanitarian parole grants temporary admission due to a substantial emergency, or urgent circumstance. Another funding source is the Brooklyn Community Foundation. The Brooklyn Community Foundation. The Brooklyn Community Foundation is a private, tax-exempt philanthropic organization that seeks to recruit local donors to contribute to improving the lives of those living in a specific locale. The Brooklyn Community Foundation’s “racial justice lens” is explicit in their organizational mission:

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<sup>193</sup> North Star Fund, accessed February 17, 2018

<https://northstarfund.org/about/organization/mission-vision-values>

<sup>194</sup> Nick Malinowski, “Safety Beyond Policing: A New Campaign Slams NYC Plan for More Cops,” *Huff Post*, May 2, 2015, [https://www.huffingtonpost.com/nick-malinowski/safety-beyond-policing-a-b\\_6766408.html](https://www.huffingtonpost.com/nick-malinowski/safety-beyond-policing-a-b_6766408.html)

<sup>195</sup> TPS is a temporary designation given by the Department of Homeland Security to countries who nationals cannot return safely due to armed conflict, a natural disaster, or other extraordinary conditions. By January 2018, TPS was not renewed for immigrants who had received it from Sierra Leone, Guinea, and Liberia. The Trump Administration has indicated that immigrants from Haiti with TPS should not expect their status to be renewed after July 22, 2019.



People of color represent nearly 70% of all Brooklyn’s residents, yet there are significant racial disparities in the distribution of resources and opportunities in our communities. We strongly believe addressing racial disparities in this borough is the first essential step towards our mission of building a more fair and just Brooklyn for everyone.

We define racial justice as the systemic redistribution of power, opportunities, and access for people of all races. We believe that all people should be equally seen, heard, valued and respected. Whether through grantmaking, advocacy or special initiatives, we aim to increase the ability of people of color to determine and sustain a more equitable future for themselves and their communities.<sup>196</sup>

According to the foundation’s website, this “racial justice lens” is institutionalized throughout the foundation in terms of being seen as a “first, essential step” toward their mission. The funds provided to BAJI were obtained through the foundation’s “Immigrant Rights Fund” and “Invest in Youth” grants to support BAJI’s Black Muslim immigrant outreach efforts.<sup>197</sup> Here we see a clear example of BAJI making both a racial justice and immigrant rights appeal for funding to support Black immigrants.

Borealis Philanthropy, a grant intermediary<sup>198</sup>, created a fund in 2017 to specifically grant money to organizations actively engaging with the Movement for Black Lives, such as BAJI and the UndocuBlack Network. Both BAJI and UBN were provide grants as part of Borealis’s Black-Led Movement Fund and Transforming Movements Fund. Borealis provides Transforming Movement Funds to “[queer] leaders push[ing]

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<sup>196</sup> Brooklyn Community Foundation. <http://www.brooklyncommunityfoundation.org/about/our-racial-justice-lens>

<sup>197</sup> This organization provides grants to Brooklyn nonprofits addressing racial injustice in their communities. accessed February 17, 2018

<http://www.brooklyncommunityfoundation.org/about/our-racial-justice-lens>

<sup>198</sup> As a grant intermediary, Borealis provides services to grant makers and grantees to make them more effective. accessed February 17, 2018, <https://borealisphilanthropy.org/black-led-movement-fund-announces-spring-2017-grants/>

movements to embrace the intersections of identities and the necessity of alliances.”<sup>199</sup> I highlight this funding source and these categories because they speak to the work both BAJI and UndocuBlack are doing to transform racial justice and immigrant rights movements. Although BAJI’s work may appear piecemeal, examination of the group’s funding reveals a deliberate intersectional approach that acknowledges multiple connecting issues and identities.

### *The UndocuBlack Network*

The UndocuBlack Network (UBN) is another advocacy organization that shares origins with #BlackLivesMatter and the Movement for Black Lives. The catalyst for the formation of the UndocuBlack Network was the murder of twenty-five-year-old Freddie Gray in Baltimore on April 12, 2015. Gray was arrested on April 12<sup>th</sup> and died a week later on April 20<sup>th</sup> due to “a very tragic injury to his spinal cord, which resulted in death.”<sup>200</sup> Gray’s death ignited uprisings throughout Baltimore. His death added to a long-list of Black women, men, children, and queer peoples dying at the hands of law enforcement officials. UBN co-founder, Jonathan Jayes-Green recalls the murder of Gray and the subsequent uprisings as a pivotal turning point in his relationship to the immigrant rights movement. As an Afro-Latino currently residing in Baltimore, Gray’s murder resonated with him. He stated in an interview,

What was really heartbreaking is that my community wasn’t going through the process with me. The community of immigrant rights folks that I had worked with on different bills over the years at the state and national level, they weren’t experiencing the attack on Blackness the same way I was.”<sup>201</sup>

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<sup>199</sup> Ibid.

<sup>200</sup> Lindsey Bever and Abby Ohlhesier, “Baltimore Police: Freddie Gray Dies from a Tragic Injury to His Spinal Cord,” *Washington Post*, April 20, 2015, [https://www.washingtonpost.com/news/morning-mix/wp/2015/04/20/baltimore-police-freddie-gray-arrested-without-force-or-incident-before-fatal-injury/?utm\\_term=.850faeacb4c2](https://www.washingtonpost.com/news/morning-mix/wp/2015/04/20/baltimore-police-freddie-gray-arrested-without-force-or-incident-before-fatal-injury/?utm_term=.850faeacb4c2)

<sup>201</sup> Jayes- Green., Interview by author, March 17, 2017.

Jayes-Green was motivated to start UBN to address the lack of attention to Blackness and issues deeply related to Black life in America within the contemporary immigrant rights movement.

Gabby, another key leader in UBN further elaborated on this narrative of lack of attention to the racism faced by Black people, immigrant and otherwise, in the following excerpt

As a Black undocumented immigrant, you can feel alone and erased from the current immigration reform debate, but also glossed over in the discussion surrounding the pursuit of justice in the Black Lives Matter narrative. I would be lying if I didn't tell you that this has sometimes left me asking myself, "where do I fit in?" I was so excited about "The Undocumented & Black Convening," because it meant examining and addressing the intersection of our Blackness and immigrant experiences, as we gathered in fellowship, organized, and developed a network that will finally carve out a place for me and others to fit in. Consequently, I am excited and hopeful about the UndocuBlack Network."<sup>202</sup>

Gabby adds to Jonathan's articulation of feeling alone and unseen by pointing out how the narratives created around immigration, police brutality, and Black lives mattering did not reflect her (un)documented Black immigrant story. The UndocuBlack Network was a space to "fit in," be seen, and know that she was not alone. It provided for an approach to social justice that takes multiple marginalized identities seriously.

UBN was founded in 2016 in response to the invisibility of Black immigrants within the larger conversation of immigration reform. In 2016, the UndocuBlack Network held its first convening, "Heal, Organize, and Empower," in Miami, Florida. The convening took place over the course of three-days in mid-January of that year. During the convening Black undocumented and formerly undocumented immigrants

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<sup>202</sup> "Gabby," UndocuBlack Network, July 14, 2016, <http://undocublack.org/undocublack-blog/2016/7/14/gabby>

participated in workshops, strategy sessions, and focused on healing within their communities. For example, one session addressed the need to heal from the double-burden of anti-Blackness within immigrant rights spaces and a U.S. police state that continues to murder Black peoples. This is best articulated in the following statement: “It was one thing to see the repeated incidents of the police state that did not value Black lives. It was another, perhaps even more painful, to see the same people that we fought alongside for years for the dignity of immigrant families to participate in the devaluing of Black lives.”<sup>203</sup>

The workshops addressed the following topics: access to healthcare, the politics of identity and belonging, Black citizenship, resistance, Blackness and Latinidad. The convening also created space for healing and community-building through the following sessions: “Queer and Trans Circle,” “Love, Healing, Revolution,” and “Wellness for Black Folks.” In these sessions, participants were provided with a physical and creative space to build a vision, develop a supportive network, and address physical, emotional, and spiritual trauma within the movement. The strength of these workshops and the larger convening is the emphasis on a space that is “for us, by us.” The convening came to fruition through the leadership and work of Black undocumented (formerly undocumented) immigrants. Most of the facilitators for the workshops were Black, (un)documented, and belonged to the community that was highlighted in each session. For instance, “Blackness and Latinidad” was facilitated by Alan Pelaez Lopez, “a formerly undocumented queer migrant” who identifies as both Black and non-Black Latinx. Ola Osaze, a self-identified “transfag feminist of Edo and Yoruba descent,” facilitated the Queer and Trans Circle” session. The organizers were committed to

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<sup>203</sup> Jon J, UndocuBlack, interview by author, College Park, MD, March 17, 2017

creating a space for and by undocumented Black immigrants, which facilitated inclusion and encouraged leadership from within communities directly and simultaneously affected by anti-Black racism, homophobia and anti-immigrant sentiment. Sessions were reserved for undocumented Black immigrants and closed to participants who did not identify as such. When inviting participants, conveners emphasized that certain sessions would be closed to individuals who were not undocumented or formerly undocumented. As someone who attended the convening but who is not undocumented, I was taken aback initially by the rigid boundaries drawn by the organizers. However, as I reflected on the rationale behind the “closed” sessions, I appreciated the importance of creating spaces where one can feel safe, free, and share who they are without consequence. For many Black undocumented participants at the convening, this was the first and only space where could come out of the shadows.

The convening also began to address a major area of invisibility for Black immigrants, access to direct services. Direct services is an area of invisibility for Black immigrants because many immigrant resources are not available in their neighborhoods or geared towards the Black immigrant population. For instance, funding and scholarships for undocumented immigrants do not mention Black immigrants specifically, which Charlton calls attention to this in an interview with, Melinda D. Anderson on May 31, 2016 in, *The Atlantic*, where she recalls applying to college and the limited scholarships available for undocumented immigrants. She was ineligible for the few scholarships that were available because they were not geared towards Black

undocumented immigrants.<sup>204</sup> Many of the respondents in this study mention the lack of direct services and its availability as a key area of challenge for non-Black Latinx immigrants. NILC Policy Direct Kamal Essaheb attributes his lack of or use of immigrant services to location. The following statement by Abraham Paulos, the communications director for Black Immigration Alliance, "Black people in this country have historically been invisible in a lot of legislation, a lot of public policy." "That invisibility only gets amplified as an immigrant."<sup>205</sup> The UndocuBlack convening addressed this area of invisibility by providing access to legal counsel, for some attendees this was their first time speaking with counsel.

I would also like to highlight the organizers' commitment to inclusive representation. This can be summed up in the opening message from the planning committee, "we understand that if we are to move forward as a people, we cannot afford to leave anyone behind- that includes our formerly detained folks, our homeless folks, and our trans and queer folks, and the women leading this work." Their vision of liberation and organizing harkens back to a Black feminist praxis that sees the interconnection between structures of oppression. Addressing these interconnecting structures requires policies and organizing that address interlocking systems of domination. UBN's convening intentionally highlighted the interconnection between mass incarceration and detention, anti-Blackness and anti-immigrant bias. The group has emphasized talking points that capture interlocking oppressions, such as the fact that

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<sup>204</sup> Melinda D. Anderson, "Undocumented and Black," *The Atlantic*, May 31, 2016, <https://www.theatlantic.com/education/archive/2016/05/undocumented-and-black/484823/>

<sup>205</sup> Makeda Easter, "For black immigrants here illegally, a battle against both fear and historic discrimination" *LA Times*, January 8, 2018, <http://www.latimes.com/local/lanow/la-me-black-undocumented-20171010-story.html>

Black immigrants are incarcerated at five times the rate of their Non-Black Latinx and Asian immigrant counterparts.

I had the opportunity to facilitate a session titled, “Hidden Vulnerabilities: Sitting at the Intersections of Race and Citizenship in the 21st Century.” This workshop was an interactive learning space centered on the voices of undocumented Black immigrants. It highlighted the unique experiences and vulnerabilities faced by undocumented Black immigrants in the United States. One approach I adopted was to help participants to deconstruct the literature and statistics currently available that “capture” their experiences. Although I was the facilitator of this workshop, I also learned from participants. During this session, participants discussed how they navigated being both Black and undocumented and mentioned intersectional identities related to race and gender. One participant described the importance of place, and the specific challenges of being Black in south Florida. Others mentioned lack of access to healthcare and insurance and mental health issues. A critical question raised by one participant was whether the meaning of identifying as “Black” varied across immigration and citizenship status. Another participant asked, “How one can feel whole outside of undocumented status?” Many described tensions within the family context. For example, while some discussed a need to repair or create their families after or in the face of deportation, others spoke candidly about resenting their parents and the choices their parents had made in terms of immigration or communications around immigration within the family. The discussion reinforces a lack of attention to Black immigrants in immigrant advocacy organizations and a dearth of Black immigrant voices in racial justice organizing.

The Florida convening solidified UBN and marked its establishment as a network of activists and advocates that seeks to uplift the narratives of Black and undocumented community. UBN describes itself as “a grassroots advocacy organization for undocumented Black immigrants run by undocumented Black immigrants.”<sup>206</sup> Their core leadership consists of undocumented or formerly undocumented Black immigrants. There are six national leaders: Jonathan Jayes-Green serves as Director of the UndocuBlack Network. Other leadership positions include Co-organizer and Fundraiser, Policy and Advocacy Director, Co-founder and Budget Coordinator, Outreach Coordinator; and Mental Wellness Coordinator.<sup>207</sup> Their national leadership represent the following sending countries, Panama, Jamaica, Senegal, Ethiopia, and Trinidad and Tobago. From the six members mentioned above, only three are full-time staff, including the Director. The other members are voluntary or contracted when needed. In addition to the national leadership, UBN also has three regional leaders, Mwewa S. (D.C., Maryland, Virginia), Ronnie J. (New York City), and Ainslya C. (New York City). Their diverse leadership reflects diverse national-origins, gender identity, sexual identity, and socioeconomic status.

As a network UBN serves Black immigrants in multiple localities, including New York, Los Angeles, Washington, D.C., and Miami. Convenings have been organized in each these locations. Each convening seeks to create a safe space for undocumented peoples to create kinship, workshop, and develop organizing skills. Participants represent the broader African Diaspora, hailing from Ethiopia, Haiti, Jamaica, Panama, Senegal,

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<sup>206</sup> Gabrielle Jackson, “Black, Undocumented and Fighting to Survive,” *Huffpost*, June 2, 2017, [https://www.huffingtonpost.com/entry/undocumented-black\\_us\\_593178eae4b075bff0f2b281](https://www.huffingtonpost.com/entry/undocumented-black_us_593178eae4b075bff0f2b281)

<sup>207</sup> Names appear as they do on the website.



and Jamaica. Although the group is anchored by a core leadership, the organization seeks a decentralized model of organizing. This is achieved through community calls and check-ins, as well as a program called the Ubumoja Circle that uses phone calls and emails to foster healing and cultural exchanges. Again, following earlier models of organizations seeking Black liberation, the emphasis is on the collective.

Although a young organization, UBN has positioned itself as an advocacy organization that engages policy and provides direct services. The group offers law clinics as well as mental health workshops. Their mental health initiative is led by Gabrielle Jackson (co-founder) a licensed therapist and clinical social worker in Washington, D.C. These direct services are a part of their efforts to create and provide access to resources that the Black immigrant community often lacks due to lack of outreach, fear, and financial constraints. Providing social services is seen by organizers as a critical element of support and resistance as UBN also works toward progressive policy reforms.

On Thursday August 11, 2016 the UndocuBlack Network held their first congressional briefing, “The State of Undocumented Black Immigrants in the U.S.” This briefing took place in Washington, DC and included Congressional staffers and representatives including the following members of Congress, Linda T. Sanchez, Barbara L. Fatima, Kathleen Rice, Ruben Hinojosa, Sam Johnson, Yvette Clarke, John Lewis, and Hakeem Jefferies as the target audience. The briefing focused on how current anti-immigrant and anti-Black laws, policies, and sentiments affect the more than 575,000 Black immigrants residing in the U.S. The briefing featured seven speakers who addressed the following topics: Background on UndocuBlack Network, An UndocuBlack

Mother's Letter, The Impact of the 1996 Laws, Anti-Blackness in Comprehensive Immigration Reform, DACA/DAPA Analysis, and Reauthorization of Temporary Protective Status (TPS) for Guinea, Liberia, and Sierra Leone. UBN partnered with the National Immigration Law Center, African Communities Together, and Black Alliance for Just Immigration.

On December 5, 2017, the UndocuBlack Network implemented a key component of their organizational mission around coalition-building. Their partnership with the National Korean American Service and Education Consortium (NAKASEC)<sup>208</sup> produced the first ever “Black-AAPI Immigrant Day of Action. During this action day, members and leaders of both UBN and NAKASEC engaged in joint direct actions calling for a “clean DREAM Act” and a permanent solution for TPS. The groups attended joint trainings to address and confront White Supremacy. What is particularly powerful about this alliance is that both communities are often erased within the immigrant conversation. During this action day, Black and AAPI immigrants controlled the narrative. Both groups discussed and interrogated how white supremacy shows up within their communities, advocated for a Clean Dream Act, and a permanent solution to TPS. This was an intentional inter-community dialogue that presented a new voices and faces to immigration. They held workshops that articulated each groups immigrant experience as well as strategies for how to do undo white supremacy. Again, we see the importance of education before true solidarity. They can push congress together but the work most also occur within and across communities.

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<sup>208</sup> National Korean American Service & Education Consortium (NAKASEC), “Our mission is to organize Korean and Asian Americans to achieve social, economic, and racial justice.” March 2017 <http://nakasec.org/about>

The funding that UBN receives demonstrates that race and immigration are still often seen as parallel fronts in the fight for social justice, rather than deeply intersectional. Black immigrants are still marginalized within the immigrant narrative. UBNs funding sources are often from organizations that broadly address social justice and inequality. UBN's fiscal sponsor, the Praxis Project, is a national non-profit that partners with advocacy groups to produce policies that build healthy communities. They describe themselves as "a movement support intermediary committed to capacity building for social change."<sup>209</sup> They further emphasize that they are committed to "developing fields of work in ways that encourage multi-level, trans-disciplinary learning and collaboration across issues, across the country, and across the globe."<sup>210</sup> UBNs most recent partnership has been with Indivisible, a non-profit organization created in direct response to Donald J. Trump's victory in 2016. Indivisible was founded by former Democratic staffers and seeks to replicate successful Tea Party tactics (coordinating constituents to pressure their elected officials at the local and state level) to resist Trump's conservative agenda. The UBN-Indivisible partnership produced a resource guide, "The Trump Shutdown: What was at Stake for Dreamers, TPS Holders, and Our Country." Of particular importance is Indivisible's connection back to the National Immigration Law Center. One of Indivisible's policy directors, Angel Padilla, is a former staff member at NILC. I highlight this partnership because it demonstrates how the UndocuBlack Network is shifting the immigrant rights narrative and successfully engaging mainstream organizations with a long history of directly or indirectly on non-

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<sup>209</sup> The Praxis Project, "Mission & Approach," <https://www.thepraxisproject.org>

<sup>210</sup> Ibid.

Black immigrants to reevaluate current immigration measures beyond the U.S. / Mexico border.

### **Concluding Thoughts: Strategies and Resistance**

“Because nobody, once again, this forced invisibility or nobody cares to think about us. Even though we’re here, and we’ve been here. Look at this campus we’re on. You see these sisters in these jobs over here. We see our Black, our Black Caribbean students in and out. Constantly trying to find spaces for themselves because they need community, you know. I just find it to be fascinating, how this society just wants to forget about us.”<sup>211</sup>

This statement was made by a second-generation West African woman who works as an immigrant advocate and organizer. I asked her about the place of Black immigrants in contemporary social justice movements. What stands out about the statement is the speaker’s emphasis on “forced invisibility” and characterization of the U.S. as a “society [that] just wants to forget about us.” Jonathan Jayes-Green, one of the co-founders of the UndocuBlack Network, also references this idea of invisibility as a catalyst for the formation of the network. I close the chapter with this statement in order to recall the invisibility experienced by Black immigrants in an advocacy environment that sees them as Black or as immigrants, but seldom as embodying both identities simultaneously.

Both BAJI and UBN have successfully employed an intersectional lens to address the issues and challenges Black (un)documented immigrants face within contemporary political spaces. Despite these expressions of invisibility, interviews and participant observation reveal important efforts by both organizations to refuse this sense of invisibility or deep marginalization. Instead, through coalitions and programs that keep multiple identities front and center, BAJI and UBN have contributed to the political representation of Black immigrants that is much more robust and coherent than in the

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<sup>211</sup> Nana Brantuo, Interview by author, College Park, MD, April 2017

past.

Black Alliance for Just Immigration and the UndocBlack Network exemplify the organizing strategies articulated by Ella Baker in 1969,

In order for us as poor and oppressed people to become a part of a society that is meaningful, the system under which we now exist has to be radically changed. This means that we are going to have to learn to think in radical terms. I use the term radical in its original meaning -- getting down to and understanding the root cause. It means facing a system that does not lend itself to your needs and devising means by which you change that system.

Both organizations recognize the root causes that marginalize Black immigrants, such as racism, anti-Blackness, and socioeconomic systems that constrain and block upward mobility for Black people in the United States. These Black- and immigrant-led groups are not simply calling for fewer deportations and an end to racial bias in incarceration or detention. Rather, their end goal is the abolishment of an entire system that seeks to confine and disenfranchise. One of the most radical commitments associated with these groups is that they seek an expansive Black liberation regardless of immigration status or criminal record. They are calling for economic justice, an end to mass incarceration, and an end to mass deportation. In sum, they are advocating for a sharp move away from the neoliberal racial state and its obsession with the economic contributions of immigrants and Black people. Instead, they encourage a focus on the shared humanity of Black and other peoples.<sup>212</sup> The radical sense of human flourishing that Black feminists developed in the Combahee River Collective statement more than four decades ago underlies the work of UBN and BAJI in terms of leadership praxis, coalitional-building and political advocacy.

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<sup>212</sup> Tia Oso, Interview by author, Skype Interview, April 26, 2017

Highlighting and engaging anti-Blackness is a key contribution that both organizations have made salient to their organizing around immigrant justice. Many immigrant advocates contend that race, specifically a racial justice framework is necessary to fix our broken immigration system. However, there is a distinction between addressing racism in general and confronting anti-Black racism in an explicit way. For instance, immigrant advocates may address xenophobia but not anti-Blackness. Where do Black DREAMers exist in the immigrant rights narrative around DACA? I contend that the reason Black undocumented immigrants who meet the criteria for DACA do not apply at rates similar to non-Black Latinx undocumented immigrants is that they do not see themselves and their experiences reflected in the larger immigrant rights movement. This perspective is supported in my research. According to BAJI's Deputy Director, Carl Lipscombe, DACA outreach efforts by groups like NILC did not prioritize Black communities. Black immigrants were never featured when Obama discussed or publicized the program. Lipscombe tells TheRoot.com,

“What we’ve seen over the past 20 years in the mainstream immigrant-rights movement is this focus on integration and assimilation. But when they’re talking about integrating and assimilating into the U.S., they’re not talking about assimilating into black America. They’re talking about immigrating into white America and having that white picket fence and go[ing] to the Ivy League schools and start[ing] a business. All of those things are dog whistles against African Americans, who are stereotyped as being uneducated and lazy.”

The racial assumptions that underlie the assimilation premise that DACA advocates so often adopts, highlights how anti-Blackness becomes embedded in the immigrant rights movement. Recognizing these assumptions forces us to interrogate the laws and policies that punish the poor and scapegoat Black immigrants.

In our contemporary moment intersectional organizing has become the championed mode for challenging inequality in the U.S. Strolovitch in *Affirmative Advocacy* argues that intersectionality is the primary approach necessary to combat the secondary marginalization experienced by disadvantaged members within interest groups. An intersectional approach moves away from a focus on single-axis issues to cross-cutting issues that account for universal, majority, disadvantaged subgroup, and advantaged subgroup issues. Within immigrant rights organizing, citizenship is a universal issue because [it] affects the entire immigrant population. I would argue that racial profiling is a majority issue since most members would be “affected relatively equally”.<sup>213</sup> An advantaged subgroup issue mostly impacts the subgroup members who are “relatively strong or advantaged compared to the broader membership.”<sup>214</sup> An example of an advantaged subgroup issue is DACA, it primarily benefits youth and members of the group who have access to higher education. Diversity visas and TPS are illustrations of a disadvantaged subgroups issues – those that “affect a subgroup of an organization’s members who are disadvantaged economically, socially, or politically compared to the broader membership.”<sup>215</sup> The majority of people directly affected by diversity visas are Black immigrants, particularly African immigrants.

The strength of organizations such as the Black Alliance for Justice Immigration, is their ability to address cross-cutting issues. As an organization they tackle immigration, but it is framed as a universal issue for Black peoples. They present and craft a message of immigrant organizing that centers racial and economic justice for both African Americans and Black immigrants. Their approach tackles racial profiling, deportation,

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<sup>213</sup> Strolovitch., 897

<sup>214</sup> Ibid.

<sup>215</sup> Strolovitch., 898

and detention as cross-cutting issues, placing all under the umbrella of mass criminalization. Their Real Crime video argues that people of color are being criminalized because of structural inequality, with a particular emphasis on African Americans and immigrants who “are being profiled, surveilled, locked up and locked out of society.”<sup>216</sup> BAJI’s strength as a nonprofit organization lies in their emphasis on returning to the structural. I believe that this stems from a Black feminist perspective put forth by their executive director, Opal Tometi, who has been described as a transitional feminist influenced and informed by Ella Baker, Stuart Hall, bell hooks, and Black feminist thinkers.<sup>217</sup> The Black radical feminist tradition that Tometi follows and employs is the core and strength of BAJIs organizing and advocacy. Their organizing is rooted in grassroots, coalitional mobilization that confronts the structural deep roots on inequality.

Organizations such as BAJI and UBN have used intersectionality to address, critique, and formulate strategies to liberate Black immigrants from oppressive structures. These strategies provide a model for a multiracial justice movement. Scholars have articulated the tensions between African Americans and immigrants, non-Black Latinx and Asian Americans and Pacific Islanders (AAPIs). The argument put forth is that African Americans do not view immigration as an important issue and when it is addressed the focus is on immigrant groups stealing jobs or contributing to economic instability for African Americans. On the other side of this tension are the racist views held and perpetuated by AAPI and non-Black Latinx immigrants. In addressing anti-Black racism among AAPI and non-Black Latinx, all Blacks are African American (native born) and all the immigrants are non-Black Latinx or AAPI. However, centering

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<sup>216</sup> The Real Crime Video, accessed February 16, 2018, <http://baji.org/therealcrime/>

<sup>217</sup> Opal Tometi, An interview with the founders of Black Lives Matter, *TED* accessed February 16, 2018, [https://www.ted.com/speakers/opal\\_tometi](https://www.ted.com/speakers/opal_tometi)



of Blackness would be a strong starting point for building a movement around racial justice in the immigrant rights movement and lead to more equitable representation for immigrants. It would require that there is an acknowledgement of Blackness within and outside of the U.S.

## Chapter 5. Conclusion and Looking Ahead

Deportation as a topic of study has gained resurgence within the last decade. I attribute this to the current political climate where the nation is in fear of the “other.” Who is this other? Deportation argues for the removal of “criminals” and those deemed “illegal.” I question the terms criminal and illegal because of their automatic association with people of color. In our present racial context Blackness is constricted, punished, and regulated. The status of Black Americans is tenuous and always in contention with the dominant order. The complex relationship between bodies of color and the state is exemplified within our carceral state through the process of deportation.

In our contemporary moment, a new racial regime that is anti-Black, entrenched in white supremacy, and marked by the visible resurgence of such groups as the KKK, requires a long view of racial politics. Less than a year after taking office, Donald Trump, the 45<sup>th</sup> president of the United States, referred to Haiti and African nations as “shithole” countries. During a meeting with lawmakers on January 11, 2018, Trump asked the following questions, “Why are we having all these people from shithole countries come here?” and “Why do we need more Haitians?”<sup>218</sup> He also rescinded deportation protection for Haitian immigrants. Trump’s words and actions reflect both anti-immigrant and anti-Black sentiment, yet the issues and experiences of Black immigrants remain in the background of the immigrant rights movement. This begs the question, why?

Black immigrants remain an anomaly within immigration policy because they are Black. Returning to the work of legal scholars Lolita K. Buckner Inniss and Devon

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<sup>218</sup> Josh Dawsey. “Trump derides protections for immigrants from shithole countries” *Washington Post*, January 12, 2018, <https://www.washingtonpost.com/politics/trump-attacks-protections-for-immigrants-from-shithole-countries-in-oval-office-meeting>

Carbado, Blacks are understood as fundamentally a part of U.S. history and the U.S. population, but their unequal standing is also fundamental. That is their belonging is never questioned, but that belonging can only be understood in terms of subordinate status. The saliency of Blackness and the meanings attached to the Black body, whether native or foreign, are inescapable. Here I invoke Christina Greer's use of, "Black Americans, a shared experience of racism." Black peoples in the United States live in a racialized context that sets them up to experience racism. Anti-Blackness is not tangential or exceptional in U.S. history, but essential to the establishment of the nation. Black immigrants have long been subject to the same racial forces that drove the exploitation and oppression of Blacks born on U.S. soil, dating back to the experiences of immigrants from Haiti in 1803. Black Haitian immigrants seeking refuge in the U.S. raised anxieties about the consequences of Black freedom, signified by the Haitian revolts, for Whites. If we are truly going to overhaul immigration, we must also address how anti-Blackness affects how Black immigrants are received and seen. An advocacy organization or policy agenda that does not address the history of anti-Blackness in immigration reform is complicit in reproducing white supremacy.

Cohen and Strolovitch's attention to secondary marginalization as a consequence of organizational failure to recognize intersectional identities is critical for understanding the current racial dynamic in the immigrant advocacy world. Their research asks how well organizations that claim to represent a group of marginalized people (such as "Blacks" "the poor" "LGBT people") *actually* represent disadvantaged subgroups *within* those populations. Building on this research, I ask how do organizations that seek to represent *all* immigrants represent immigrants disadvantaged by anti-Blackness. I

conclude that the experiences of being an immigrant, especially an undocumented immigrant, depend on racial identity.

Applying Cohen and Strolovitch's theories of secondary marginalization to the case of contemporary immigration demonstrates that Black immigrants are multiply-marginalized through invisibility, media representation, rhetoric, and policy. This invisibility perpetuates the narrative that immigration policy is a non-Black Latinx issue primarily, resulting in a lack of political representation for Black immigrants. Black immigrants' lack of political representation within the immigrant rights movement is associated with lack of attention to the disproportionate representation of Black immigrants in detention and deportation proceedings. As one respondent stated, "Black immigrants are excluded from when they develop policies but also the most impacted when they develop policies".<sup>219</sup> Black immigrants also lack access to legal representation and other resources due to racial segregation, attendant poverty, and the concentration of services in non-Black neighborhoods. They lack this access because they are not only marginalized as immigrants, they are also racialized as Black.

In her book *Affirmative Advocacy*, Strolovitch contends that advocacy organizations can attempt to provide correctives to the secondary marginalization they produce. These measures include introducing special measures for disadvantaged subgroup issues to be included as part of policy agendas, creating ties with state and local advocacy organizations that work with their disadvantaged subgroup, making their staff more representative of those who belong to disadvantaged subgroups, and educating their advantaged subgroup members on how their issues are connected to the disadvantaged

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<sup>219</sup> Gabby J. Interview by author, Hyattsville, MD, March 3, 2017

group. Some of these affirmative steps have been adopted by the National Immigration Law Center (NILC). NILC staff members are beginning to understand that race is critical in immigrants' experiences and they have increasingly become more involved with the UndocuBlack Network through the co-sponsorship of events. NILC is aware that more work needs to be done to address the needs of their disadvantaged population, Black immigrants. However, small actions will not dismantle an institution built on keeping out Black peoples.

True immigration reform cannot come at the expense of the most marginalized in our communities. Poor, unruly, unconventional, and less-educated immigrants matter too. Immigrant advocacy organizing cannot ignore the voices of Black immigrants because an economic and racial justice lens that is intersectional is required to dismantle the larger social and economic hierarchies that support immigrant exploitation and anti-immigrant policies. Serving all immigrants requires a racial justice and economic lens that tends to how white supremacy and capitalism structure immigration policy. My research helps us to think how Blackness matters in immigrant organizing. Yes, all immigrants are under assault, but they are affected in different ways, depending on their race. Claiming to represent all immigrants without accounting for this diversity will continue to produce secondary marginalization in immigrant advocacy.

One important point to take-away from this project is the need for coalitional and intersectional organizing that interrogates how lack of attention to Black immigrants manifests in any single organization's tactics, media representation, and advocacy. Further Black immigrant organizations like the Black Alliance for Just Immigration and the UndocuBlack Network are putting forth models of organizing that addresses anti-

Blackness in particular, specifically within laws and policies that seek to offer immigration and racial justice reform. BAJI and UBN are offering a strong model of organizing rooted in intersectionality by addressing power, anti-Blackness, and the root causes of oppressions that reproduce inequality in immigrant advocacy.

If we want to dismantle deportation, we cannot perpetuate the current narrative of criminality which is ultimately mapped onto Black bodies. As Chimamanda Adichie has stated, in her TedTalk, “The Danger of a Single Story,” “Stories matter. Many stories matter. Stories have been used to dispossess and to malign, but stories can also be used to empower and to humanize. Stories can break the dignity of a people, but stories can also repair that broken dignity”.<sup>220</sup> It is important to tell the stories of Black immigrants and all immigrants of color in order to move beyond dichotomies of “illegal/legal”, “good immigrant/bad immigrant”, and “border/no border”. These binaries, often accepted and perpetuated by immigrant rights organizations, end up reinforcing undesirable images instead of interrogating the forces that lead to migration and marginalization, including U.S. imperialism, colonialism, capitalism and other –isms. Focusing on these binaries keeps us wrapped in proving we are “good” subjects, instead of dismantling state structures. Incorporating a commitment to address anti-Blackness in immigrant organizing helps to bring these issues to the foreground of advocacy efforts.

BAJI and UBN also acknowledge the overlapping structures of oppression that contribute to their marginalization. Among the most promising practices for effective organizing in the future is education informed by intersectionality theory, which will inform how we dismantle institutional structures without reproducing the systems that we

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<sup>220</sup> Chimamanda Adichie, “The Danger of a Single Story,” TED, July 2009, [https://www.ted.com/talks/chimamanda\\_adichie\\_the\\_danger\\_of\\_a\\_single\\_story](https://www.ted.com/talks/chimamanda_adichie_the_danger_of_a_single_story)

seek to uproot. Interrogating multiple marginalization(s), opens up opportunities to create new models for organizing. As Barbara Ransby stated during NWSA, “How we do our work and the path we take is just as important as the destination”<sup>221</sup>.

### *Invisibility*

Saidiya Hartman’s articulation of Blackness and anti-Blackness have helped shaped my understanding of invisibility. Hartman argues that Blacks are always viewed as property regardless of status as enslaved or freed. The possibility of being property is a key feature in drawing the line between Blackness and whiteness. She also argues that Blackness is a visual process,

I think that visually, the threat of blackness is somehow heightened. Fanon's "Look! A Negro": that's the formulation, and within the racial classificatory schema that is how much of the work is done, especially in terms of the way racialization has operated: how it disposes of bodies, how it appropriates their products, and how it fixes them in a visual grid. I think those are the three ways I would explore that problem, as well as, again, this whole dimension of the empathic.<sup>222</sup>

Fanon’s *Black Skin, White Masks*, explores the subjectivity and abjection of Blackness. He explores what it means to be, or the ontology of Blackness. Fanon’s main objective within the text is to free the Black man from the complexities caused by colonialism .<sup>223</sup> There is one particular concept that Fanon introduces that I find useful for future research, alienation—being locked out of opportunity in Europe and America. Another key component of Fanon’s analysis is emphasis on dehumanization and anti-Blackness. He contends that Blacks are not structurally read as human beings but instead are seen as

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<sup>221</sup> Barbara Ransby, National Women’s Studies Association, Baltimore, November 17, 2017

<sup>222</sup> Saidiya V. Hartman and Frank B. Wilderson , III, “ The Position of the Unthought,” 191

<sup>223</sup> Frantz Fanon, *Black Skin, White Masks*, (New York: Grove Weidenfeld, 1991), 30

problematic. For Fanon Blacks desire not to be a problematic being. Fanon also contends that we cannot understand the experiences of Blackness in relation to deportation without also simultaneously recognizing social and economic realities. Economics, social relations, and race shape the immigration patterns and experiences of Black immigrants while living the United States. Race is central to the development of the nation state; it marks and orders the racial state.<sup>224</sup> In other words, the state reifies and constructs race because the state is inherently racial.

I have argued throughout that the state is a part of a racializing mission that is executed through different laws and policies such as immigration policy. This is seen through the Chinese Exclusion Act, the Immigration and Naturalization Act of 1965 (Hart-Celler Act), and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996—as well as contemporary restrictions to immigration, such as the Muslim ban, and the ending of Temporary Protected Status for Haiti. Anti-Blackness is a key component in the marginalization of Black immigrants. As Chimamanda Adichie warns Black immigrants, “Dear Non-American Black, when you make the choice to come to America, you become black.”<sup>225</sup> Black immigrants do not escape the position the Black body occupies-- Blackness in America is always guilty. One could argue that Black immigrants are guilty because of the culpability of Blackness and because they are immigrants, but whiteness and the state will never be questioned.<sup>226</sup> Black people, particularly Black immigrants, are unthought-of, until something horrendous happens to them. There is always this proving that has to occur. Blackness and immigrant status

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<sup>224</sup> David Theo Goldberg, *The Racial State* (Malden, Massachusetts: Blackwell, 2002)

<sup>225</sup> Chimamanda Adichie, *Americanah*, (London: Fourth Estate, 2014), 47

<sup>226</sup> Hartman, 192



shape the experiences of Black immigrants and invisibility remains a central challenge to their gaining political representation in the larger immigration debate.

### *Looking Ahead*

When I began this research, I wanted to know how Black immigrants residing in the U.S. were represented in immigrant organizing. But as I moved through this project new questions for future research remain. Immigration and deportation are “full-circle” problems. Addressing the push/ pull factors and legacies of colonialism in the sending country is critical to understanding the circumstances that immigrants find themselves in today. How do we begin to advocate for the sending countries and support their populations? Many first-generation migrants have hopes of returning to their countries of origin. The U.S. is viewed as a place of opportunity or refuge, but home is the Caribbean, Africa, South America. The dominant assumption is that immigrants can only return to places that are “broken.” What work needs to be done so that immigrants who want to return can do so without involuntary removal? Removal assumes that immigrants are a burden and unwanted in the country from which they are being expelled, but what support is available in the country of origin? This begs the question(s): Are people redeemable or disposable? Are we going to allow the state to perpetuate the notion that bodies of color, particularly Black bodies, are disposable?

I see my research on deportation and immigration speaking to discourses around belonging and citizenship that are relevant in the public policy. As I continue my research, I hope that my work on Blackness, deportation, and advocacy not only contributes to academia but to Black immigrant communities, activists, and policy makers as well.

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